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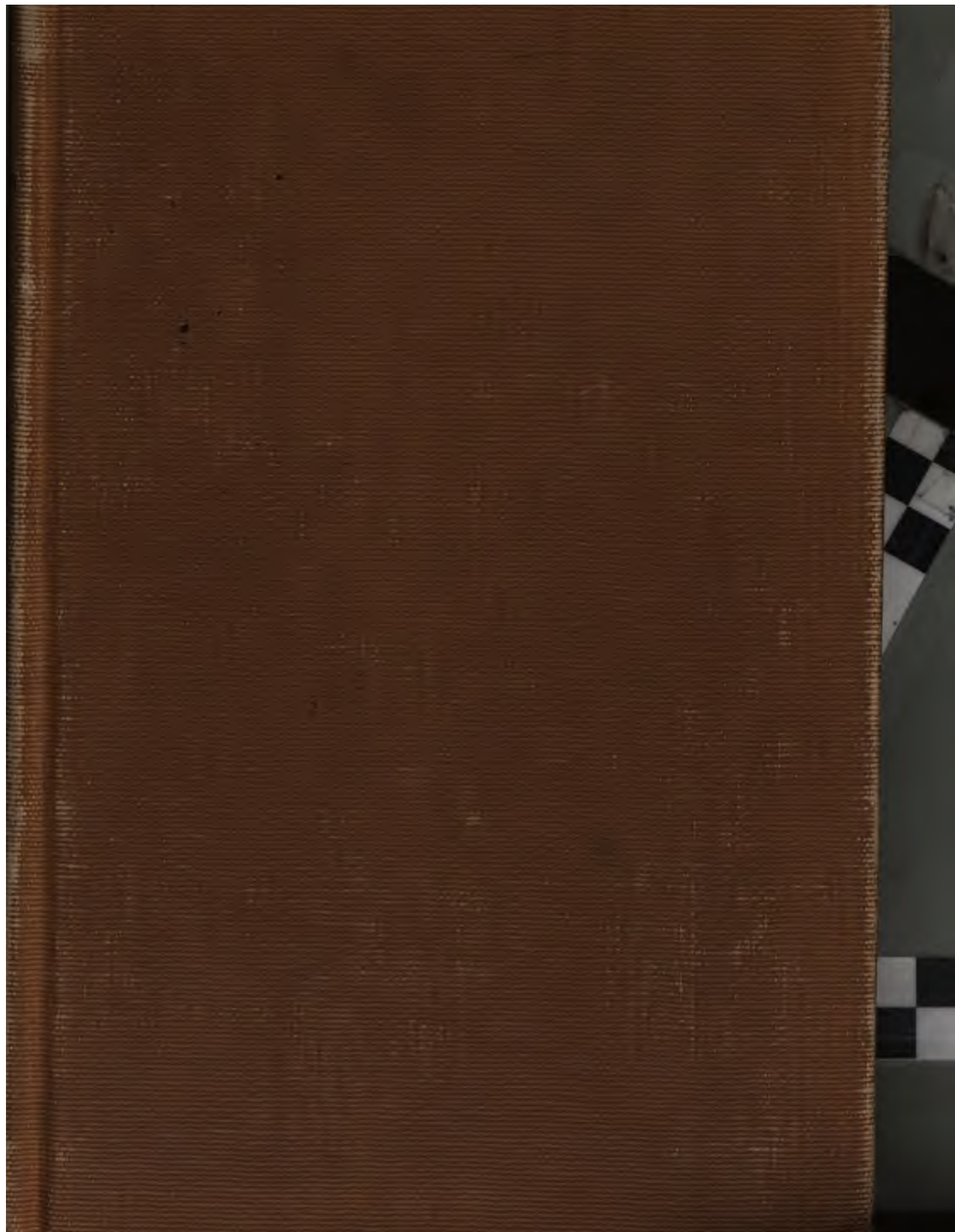
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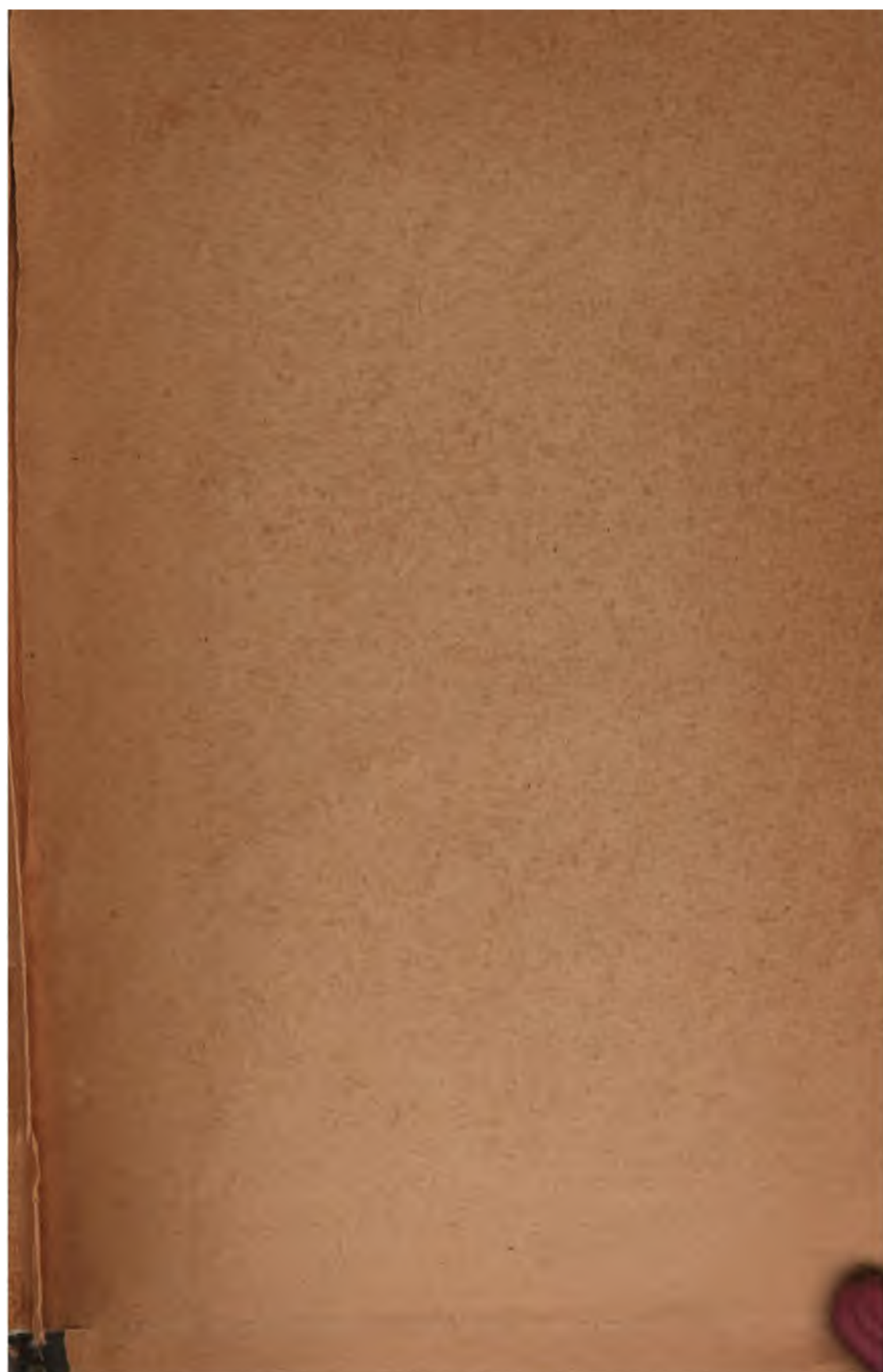
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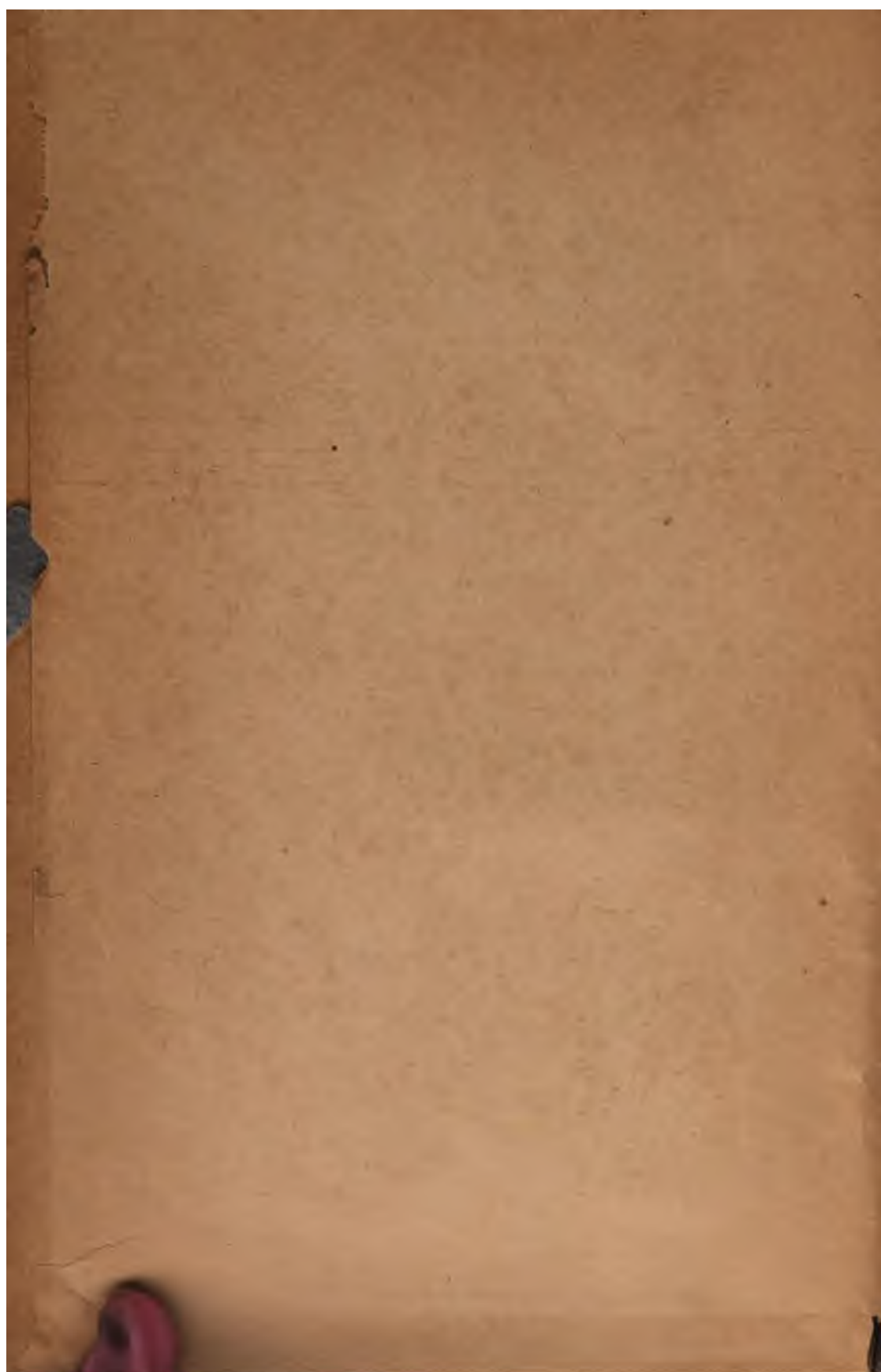
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The Legacy of the American Revolution
to the British West Indies and Bahamas

A Symposium of the History of the
American Revolution



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The
Legacy of the American Revolution
to the
British West Indies and Bahamas

A Chapter out of the History of the
American Loyalists

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The Legacy of the American Revolution to the British West Indies and Bahamas

A Chapter out of the History of the
American Loyalists

I. The Loyalists in East Florida

From the beginning of the Revolutionary War, East Florida served as a retreat for loyalist refugees from the Carolinas and Georgia. As early as 1776, Lieutenant-Colonel Thomas Brown, himself a fugitive from Savannah, formed a regiment, in whole or in part, of these refugees, which he called the East Florida Rangers. This he supplemented in the spring of 1778, by engaging three hundred and fifty men from the same colonies to defend the frontiers of the peninsula. These men were organized at first into a regiment known as the South Carolina Royalists under the command of Colonel Innes, and the next year were re-organized as a regiment of infantry under the title of the King's Rangers.¹ They formed part of the English force in East Florida, as recounted by a deserter on his arrival at Charleston in the early summer of the same year, a force which, he said, also included eight hundred regular troops, one hundred Florida Rangers, one hundred and fifty provincial militia, and two hundred Indians.² All told Colonel Brown enlisted as many as twelve hundred men, if we may credit his own statement in a letter to Sir Guy Carleton, and of these he proudly asserted that five hundred were killed in the course of the constant and distant service in which he and his men were engaged throughout the War.³ Doubtless most of his recruits were gathered in Georgia and the Carolinas, where he conducted his campaigns.

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III, 322, 323; McCall, *History of Georgia*, 72.

2. McCall, *History of Georgia*, 421.

3. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III, 323.

The loyalist element in East Florida was greatly increased by the evacuations of Savannah and Charleston. The former event occurred in July, 1782, 7,000 persons being turned adrift between the twelfth and twenty-fifth of that month. This host was made up of twelve hundred British regulars and loyalists, five hundred women and children, three hundred Indians, and five thousand negroes. Three months later, Patrick Tonyn, governor of East Florida, wrote Carleton that the number of settlers in his province previous to the surrender of Georgia was "about a thousand and near three thousand blacks," that the militia numbered about three hundred, and that some five hundred of the negroes might be entrusted with arms. "The Refugees from Georgia," he said, "are about fifteen hundred whites and a thousand negroes; there are a few respectable families but they consist chiefly of backwoodsmen who are intolerably indolent; perhaps about four hundred may be found fit to bear arms, but their appearance is against them, their families are in distress, and they are exceedingly dissatisfied. The provincial corps no doubt may be completed from them."¹

Prompt measures were taken to alleviate the condition of these people and to ascertain fully their number. Already, Colonel Brown was engaged in pointing out lands to them and establishing them in settlements on the St. John's River, and Brigadier-General Archibald McArthur, who was in command in East Florida, soon designated a committee of four of the principal refugees—Colonels Ball and Cassells for the Carolinas and Colonels Tattnall and Douglas for Georgia to take a census of them and to superintend the distribution of provisions among them. By the end of October, their numbers were not yet fully ascertained, for not all had been able to land on account of the bad weather and the dangerous bar in the harbor of St. Augustine.² Meanwhile, an inspector of refugees seemed a necessity, and John Winniett was appointed to that office. His first report covered arrivals from July to the thirteenth of November, 1782, exclusive of those

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III, 163, 164

2. *Ibid.*, 140, 192.

who had come in before that period, and showed a total of 3,340 refugees and slaves.¹

Although the evacuation of Charleston did not occur until December 24, numbers of loyalists, military and civilian, were already being sent from that place to St. Augustine by the middle of the previous month. Among these were the North and South Carolina regiments, the King's Rangers, and a body of refugees described as "distinguished loyalists" by Governor Tonyn, many of whom, he said, were substantial merchants and planters. He accommodated the merchants with houses in town and placed the planters on lands, which, although previously granted by the Crown, had not been cultivated, as required by the terms of the grant;² and as provisions were being supplied by the government, the chief need of the new settlers was plantation tools. This was the cause of considerable anxiety on the part of the provincial authorities, and so also was the tendency of the refugees to concentrate in St. Augustine and at a place on the St. John's River known as the Bluff. Both Governor Tonyn and General McArthur exerted themselves to prevent this concentration.³ By the middle of December, Charleston passed into the possession of the Americans and witnessed the unhappy departure of 9,121 persons, not counting the troops. Of this number 3,826 embarked for East Florida, 1,615 being whites and 2,211 blacks. On December 23, Inspector Winniett submitted a second enumeration of the refugees and their slaves from Georgia and the Carolinas: according to its figures, the whites now numbered 2,428 and the negroes 3,609, making a total of 6,037.⁵ By this time, the loyalists who had come with the first convoy were forming their settlements in the country, and the much needed tools were being supplied them. One division of the fleet of transports, under escort of the *Bellisarius*, was reported to have brought in a thousand loyalists and fifteen hundred negroes. In

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III, 216.

2. *Ibid.*, 64, 112, 220.

3. *Ibid.*, III, 224.

4. *South Carolina Historical and Genealogical Magazine*, Jan., 1910; *Mass. Historical Society Miscellaneous Papers, 1769-1793*, I, 139; McCrady *History of South Carolina*, 674.

5. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III, 276.

disembarking, some small craft were lost "owing to their rashness in venturing over the bar without sufficient guides."¹ A similar fate awaited nine of the vessels in the train of the *Bellisarius*, when she arrived off the bar on her return trip on December 31. Of the 1,300 passengers aboard this fleet, but four were lost.² Inspector Winniet completed a third enumeration before these 1,300 landed; but as its figures are unknown, we are only sure of the minimum number of arrivals in East Florida during the period from July, 1782, to the end of the same year, namely, over 7,300.³ That this number is far short of the actual gain in the population of the province through the incoming of the loyalists is indicated by the contrasted statements of Governor Tonyn and General McArthur. In October, 1782, as we have already seen, the former gave the population as about 1,000 whites and 2,000 blacks before the emigration from Georgia. Seven months later, that is, in May, 1783, his military colleague stated that the population was about 16,000, the proportion between the two races being nearly three blacks to two whites. By this time, it was known of course that the province was to be surrendered to Spain. If, on the other hand, it had been retained, and the large land grants to absentees could be abolished, McArthur thought that East Florida would soon flourish through the presence of the great number of people lately arrived. He reported that since the evacuation of Charleston, a little town, regularly laid out, was forming at the Bluff on St. John's River, which would have soon risen to consequence on account of the harbor being safer there than at St. Augustine. As St. Mary's River possessed the same advantage, he was convinced that numbers of people would have formed a town there also.⁴ However, these were prophecies that were not to be fulfilled under loyalist auspices.

In the midst of their labors for the disembarking multitudes, the provincial officers were destined to experience a visitation of Indians from far and near. The question of provisions was already a pressing one when this visitation took place in the latter part of December, 1782. Not only hundreds of Cherokees, Creeks, and Choctaws came to St. Augustine, but also a great deputation from Detroit, on behalf of the Northern Indian nations.

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III, 276.

2. *Ibid.*, 319, 395.

3. *Ibid.*, 294, 320.

4. *Ibid.*, II, 97, 98.

According to Tonyn, this deputation comprised representatives of the Mohawks, Senecas, Delawares, Shawnees, Mingoes, Tuscarawas, and other tribes. The Cherokee delegation numbered twelve hundred and that of the Choctaws and Chicesaws, six hundred.¹ We can only surmise what may have been the size of the Northern deputation. Fortunately, they came on a peaceful mission, professing themselves firmly attached to the king's interest and commissioned to confirm the southern tribes in the same sentiments.² Conferences followed between these people and the Indian department, in which the Indians made it clear that they considered their engagements with England as having been fulfilled, and hoped that they would not be abandoned by the great King. Lieutenant-Colonel Brown, who was superintendent of Indian affairs, gave assurances of Britain's continued attachment to her allies, and recommended them to desist from further offensive operations and to devote themselves to hunting and trading. He also obtained promises from the Cherokees that they would remove their towns at once to a greater distance from the frontiers of Pennsylvania, Virginia, and the Carolinas, so as to be less exposed to attack. Meantime, he managed to keep all of his visitors well supplied with provisions, and he did not forget to distribute presents among them with an unstinted hand. Being well satisfied with their cordial reception, the assembled warriors soon departed with minds at ease.³

If the situation in regard to the Indians was felt to be critical by the officers in East Florida—and it undoubtedly was—the English government also felt some trepidation about the attitude the red men in that province would assume when they should learn of the intended cession of this region to Spain. Accordingly, in February, 1783, orders were sent from Whitehall to Colonel Brown to have all the officers of his department withdraw with the traders from the Indian country and to distribute to its denizens all presents remaining in the stores at St. Augustine.⁴ This looked as though Great Britain regarded her account with

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III. 325, 334

2. *Ibid.*, 277, 316, 322.

3. *Ibid.*, 325, 326, 334, 367.

4. *Ibid.*, 358.

the Florida Indians as virtually closed. That the Indians themselves did not so regard it is shown by General McArthur's comments concerning them in a letter to Carleton of May 19, 1783. He wrote: "The minds of these people appear as much agitated as those of the loyalists on the eve of a third evacuation; and however chimerical it may appear to us, they have very seriously proposed to abandon their country and accompany us, having made all the world their enemies by their attachment to us." ¹

Colonel Brown, who wrote to the same effect, also testified to the past faithfulness of his proteges, and asked for vessels to remove them. He received assurance that those who persevered in their demand would be furnished with conveyance to the Bahamas; but they were to be dissuaded, if possible, on the score that the islands were not a suitable place for them. This was more easily said than done, for after an interval of several months, McArthur still felt constrained to write (September 13, 1783) of his apprehensions that many of the Indians would insist on accompanying him to the Bahamas. ²

The provincial regiments in East Florida did not accept as readily the prospect of their removal. This was largely due to the insinuations that reached them through irresponsible persons, namely, that they were to be sent off to the East and West Indies without their consent. The spread of these rumors almost produced a mutiny among the troops, and they demanded their discharge. However, they were promptly reduced to obedience, and the ringleaders were punished. Later, they were assured that there was no intention of deporting them, and that every man was to have the liberty of going where he pleased, indeed, of placing himself under the rule of Spain or the United States, if he chose. ³

II. The Loyalists in West Florida

West Florida was out of range of the swarms of provincial troops, refugees, and negroes sent down to her sister province; but she was by no means devoid of loyal inhabitants, and she received a considerable accession of incorporated loyalists and

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, IV, 89.
2. *Ibid.*
3. *Ibid.*, 90, 165.

other refugees from the colonies farther north. Certain planters of the province presented a petition to the House of Commons in March, 1787, in which they stated that many of their fellow colonials had joined the King's troops, while the refugees in West Florida had formed themselves into provincial corps and faced the dangers of the field.¹ Among these refugees was Captain Richard Peavis, who after engaging four hundred men for service in the peninsula was forced to flee, he tells us, from the vicinity of Charleston to Pensacola, taking with him six companions. In 1777, he was commissioned a captain in the West Florida Loyalists by Colonel Stuart, and was constantly employed thereafter until he settled on St. John's River, East Florida, in 1783.² Doubtless, the corps which Captain Peavis joined was that officially styled the West Florida Loyal Refugees organized by Colonel Charles Stuart, the superintendent of Indian affairs at Pensacola, and disbanded at the end of November, 1779, by Major General John Campbell, who was in command in the province.³ In the following year, however, General Campbell found it expedient to enroll a new corps known as the West Florida Royal Foresters. This troop remained in service until its reduction, August 15, 1782. Evidently, the Foresters were organized about the time the Spanish attack on Pensacola was expected, which was as early as May, 1780.⁴ That the attack did not take place at this time was partly due, Campbell thought, to the presence of a large body of Indians, which had been assembled in the town for its protection.⁵

But the defense of West Florida did not fall alone upon the Indians and the Royal Foresters. Campbell had under his command other forces, including the third battalion of the Sixtieth Regiment, the third regiment of the Waldeck troops, and the United Corps of Pennsylvania and Maryland Loyalists—the last numbering two hundred and sixty-seven men, with Lieutenant-Colonel William Allen at their head. He also had a company of Military Batteaux men, probably loyalists, under Captain Miller.⁶

1. *Journals of the House of Commons*, 27 Geo. III, Vol. XLII, 551, 552.

2. *Report of the Bureau of Archives, Ont., Pt. I*, 190, 191.

3. *Report on the Am. Mss. in the Roy. Inst. of G. Brit., II*, 159, 160.

4. *Ibid.*, IV, 445.

5. *Ibid.*, II, 121, 122.

6. *Ibid.*, III, 169, 170.

According to General Campbell, these troops had been left without an adequate supply of cannon and artillery stores; but they nevertheless held out for nearly two months after Don Galves and his Spanish fleet entered the harbor of Pensacola. When, however, a well directed shot from the blockading force exploded the powder magazine, the place capitulated, May 9, 1781.¹

What became of the loyalists of West Florida at this time is difficult to discover. We are told that part of the garrison of Pensacola was sent to New York;² and we have information of the arrival in London of a party of the Maryland and Pennsylvania Loyalists under the command of Lieutenant Inglis. This party was made up of invalids who desired admission to the military hospital at Chelsea and set sail from Pensacola for that destination in the early months of 1780.³ Before the evacuation of the New York, nearly three and a half years later, the larger part of the Maryland Loyalists sailed in the ship *Martha* with the fall fleet for the Bay of Fundy to settle in Nova Scotia; but their vessel was wrecked, late in September, 1783, off Tusket River, and over one hundred lives were lost. "It is recorded," says Paul Leicester Ford, "that the troop stood drawn up in company order, while the women and children were ordered into the boats, and the few survivors among the men were chiefly saved by clinging to wreckage."⁴ In an undated list of persons who embarked for Nova Scotia, probably aboard the fated transport, we find the names of Lieutenant-Colonel James Chalmers, organizer of the troop, and Lieutenant-Colonel William Allen of the Pennsylvania Loyalists.⁵ Captain Adam Chrystie of the Foresters was still in New York City, November 3, when he signed a petition for a grant of land in Nova Scotia.⁶ Captain Richard Peavis of the West Florida Refugees found himself doomed to leave his place of settlement on the St. John's River, East Florida, and betook

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 281, 286, 514, 515.

2. *Orderly Book of the "Maryland Loyalists Regiment,"* 12, n.

3. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 109, 110, 150.

4. *Orderly Book of the "Maryland Loyalists Regiment,"* 11; *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, IV, 380, 409, 420, 440.

5. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, IV, 479, 105.

6. *Ibid.*, IV, 443.

himself to the Island of Abaco in the Bahamas.¹ A few others from West Florida, with their slaves, arrived in Jamaica during the summer of 1783, settling chiefly in Kingston, according to the parish records of that island. While these are only scattered instances, they serve to illustrate the vicissitudes of the loyalists of West Florida after the conquest of that province by Spain.

III. The Emigration of Loyalists to Jamaica

East Florida escaped subjugation by the Spaniards, but nevertheless shared the fate of the adjoining district when England made peace with Spain. By the treaty of Versailles, the latter country gained both provinces, but the loyalists preferred the hardships of another removal rather than submit to Spanish rule. During the earlier years of the Revolution, refugees had taken shelter under the British flag in Jamaica and the Bahamas. In October, 1775, one of the London papers gave currency to the item that several American families had arrived in Jamaica with their effects "on account of troubles in their own country."² When Sir James Wright, governor of Georgia, fled to England in March, 1776, a considerable number of Georgia loyalists took their departure to the West Indies and Bahamas. It is true that some of these returned after Governor Wright resumed his office in the spring of 1777, but not all of them did so.³

When in July, 1782, Savannah was evacuated, less than half of the 7,000 persons who withdrew from that port went to East Florida; Governor Wright, with some of the officers, civil and military, and part of the garrison, disembarked at Charleston; Brigadier-General Alured Clark and part of the British regulars went to New York; and the remainder—described as inhabitants and their effects—sailed to Jamaica under convoy of the frigate *Zebra*.⁴ Doubtless, these effects were mostly slaves, for Mr. Wright and some of his fellow loyalists had no less than two thousand for shipment to the island. The Governor explained afterwards that he considered Jamaica the best market for his

1. *Report of the Bureau of Archives, Ont., Pt., I*, 190, 191.

2. *Lloyd's Evening Post*, Oct. 4-6, 1775.

3. *Report of the Bureau of Archives, Ont., Pt. II*, 1305; Audit Office Claims, IV, Public Records Office, London.

4. *Report on the Am. Mss. in the Roy. Inst. of G. Brit., III*, 65, 126.

negroes, and that they were in danger of being stolen at Savannah.¹ Probably, much more of the same kind of property was transported to the same destination. At any rate, Bridges tells us in his *Annals of Jamaica*² that the island gained nearly 5,000, besides four hundred white families, by the evacuation of Savannah.

When, in December, 1782, Charleston was surrendered to the Americans, 3,891 persons embarked for Jamaica, of whom 1,278 were whites and 2,613 were blacks. At the same time, twenty whites and three hundred and fifty blacks sailed for St. Lucia. It will be remembered that the number carried from Charleston to East Florida was almost equal to that destined for Jamaica. Of the remainder, two hundred and forty sailed for New York, four hundred and seventy, for Halifax, and three hundred and twentyfour, for England.³

What the result of the exodus from East Florida may have been for Jamaica and the other West Indies is not clear. At the end of July, 1782, some of the Georgia refugees at St. Augustine memorialized Carleton, informing him that there were at least 4000 people of both races from their colony in their neighborhood, and that they regarded the West Indies as the only region where they could employ their slaves to any advantage.⁴ But we have no means of ascertaining how many of these people found their way to the desired destination. The same uncertainty appertains to the various families in New York City who were seeking conveyance to these islands during the years 1782 and 1783.⁵ That a considerable proportion of them succeeded in reaching their goal admits of little doubt. Sabine gives several instances of Massachusetts Tories who settled in Antigua and St. Christophers.⁶ Near the close of May, 1783, eighty-five persons registered at St. Augustine to go to Jamaica, and a ship with these refugees,

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III, 28; *Report of the Bureau of Archives, Ont.*, Pt. II, 1806.

2. P. 190.

3. *South Carolina Historical Magazine*, Jan., 1910, 26.

4. *Report on Am. Mss. in the Roy Inst. of G. Brit.*, III, 45.

5. *Ibid.*, III 230, 260, 363, 365; IV, 161, 228, 234, 374, 399, 480; *Second Report of the Bureau of Archives, Ont.*, Pt. II, 914, 929, 1132, 1133.

6. *American Loyalists*, 1847, 551, 587, 221.

and probably others, sailed from that place for the island named about the twenty-fifth of the following month.¹

Some of the new settlers in Jamaica came also from Honduras and the Mosquito Shore, where the British had colonies engaged in cutting logwood and mahogany. The Spanish had long regarded these people as intruders in Central America, and during the later years of the Revolution attacked them with such persistence as to drive them out.² Their certificates of loyalty are still to be found among the official records of their chosen retreat, and show that they arrived at various times during the year 1783, some being accompanied by their slaves. Their numbers were sufficiently large to cause them to be mentioned in certain acts passed by the Assembly of Jamaica in 1783 and 1784.³ The certificates also bear testimony to the fact that loyalists continued to come to this island down to 1788 from both Northern and Southern states, albeit in very small numbers. Doubtless, Jamaica profited also by the dispersion of the 10,000 refugees who were sent from New York to Shelburne, Nova Scotia, in the spring and fall of 1783. This dispersion took place during the years from 1785 to 1788, inclusive; and we are told by Mr. T. Watson Smith, author of "*The Loyalists at Shelburne*," a paper showing careful and extensive investigation, that numbers of these exiles found their way not only to the Canadas and Great Britain, but also to the West Indies.⁴ The above facts help to explain the remarkable increase in population of Jamaica between the years 1775 and 1787. The census for the former year showed 18,500 whites, 3,700 free colored people, and 190,914 slaves; while for the latter year the figures are 30,000 whites, 10,000 free colored people, and 250,000 slaves.⁵ By 1785 the number of slaves had already reached from 220,000 to 240,000.⁶

IV. The Loyalists in the Bahamas

During the greater part of the War—if we may trust our evidence—the Bahamas benefitted but little by the misfortunes

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 92, 93.

2. Morris, *The Colony of British Honduras*.

3. *Acts of the Assembly of Jamaica, 1778-1783*, 337; 1784-1791, 32.

4. *Collections of the Nova Scotia Historical Society, 1787-8*, 57, 63, 65, 85, 86, 88.

5. Gardner, *History of Jamaica*, 221.

6. Martin, *History of the West Indies*, I, 90.

of the American refugees. Moreover, early in May, 1782, they had the mishap to fall, like West Florida, into the hands of Spain. But Spain was not able to keep them long, for in April, 1783, Major Andrew DeVeaux, a provincial officer of South Carolina, left St. Augustine with "a handful of ragged militia and five privateers" to recover New Providence. In this he succeeded, despite the presence of five hundred Spaniards, seventy pieces of cannon, and six galleys. This was the last episode of the Revolutionary War, which thus closed with a British victory won by American loyalists acting on their own motion. The irony of the affair is enhanced by the circumstance that DeVeaux's success had been anticipated nine days before by England's treaty with Spain, the fifth article of which restored the Bahama Islands to Great Britain.¹ At the same time, the treaty deprived the loyalists of the Floridas as a place of refuge, for it surrendered them to the Spanish King. The sole consolation of the Southern loyalists was that the ill wind that swept them from their last retreat on the mainland was to bear them to the neighboring islands, including the Bahamas.

The first intimation of the intended evacuation of East Florida reached Governor Tonyn as early as June, 1782, and caused him much surprise and sorrow; while it produced nothing less than consternation among the loyalists, both old inhabitants and refugees. The Assembly of Georgia remonstrated against the proposal, recommending that the territory be kept as an asylum for the loyalists. The Assembly of East Florida asked for some defense in case the troops should be withdrawn, and resolved to stand by the Governor in preserving the allegiance of the province. Tonyn took up with Carleton the question of the removal of the garrison from St. Augustine, and secured his consent to a delay. He was thus encouraged to hope that the King would find a way of retaining the province permanently, and, doubtless, this hope was still further encouraged by Carleton's instructions to grant lands free of quit rent to officers and soldiers desirous of settling in East Florida on the establishment of peace.²

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, IV, vi, vii, 93, 128, 169, 247, 293, 351.

2. *Ibid.*, II, 513, 520, 527, 528, 529, 530, 531, 546; III, 19, 417.

However, the publication of the peace rudely destroyed any such expectations. It only left the loyalists a choice between living under Spanish rule, which they greatly dreaded, and preserving their fealty by withdrawing to some British possession. By the eighth article of the treaty, those subjects of England who proposed to remove were allowed eighteen months in which to collect their debts, sell their property, and leave the country. Tonyn received orders to coöperate with McArthur in effecting the evacuation in conformity with this provision, and made proclamation accordingly.¹ Judging by the official correspondence that has come down to us, these measures did not produce a marked effect at once. We have already seen that a single ship was sufficient to carry those who embarked at St. Augustine near the end of June, 1783, for Jamaica. It may be added that two vessels sufficed for those taking passage for England, and that while ninety signed to go to New Providence, no reference is made to their departure at this time.² This disinclination on the part of the loyalists to proceed to the Bahamas was due to a lack of information about the conditions obtaining there. Hence, some of the intending settlers of New Providence went to find out what they could about these conditions, and were soon followed by Lieutenant Wilson, of the Engineers, who was officially dispatched from St. Augustine for the same purpose. The report made by the former was not very favorable, and is embodied in a letter of McArthur of September 7: it represented that the soil was rocky and that there were "no tracts of land contiguous where any considerable number of negroes could be employed." On Wilson's return, he found instructions from Robert Morse, chief engineer at New York, extending his tour of inspection to all of the Bahamas, evidently in compliance with a request of Carleton, who had recommended to the British government that any lands ungranted or escheated in the islands be given free of expense to those loyalists who had lost their property through their allegiance, and should choose the Bahamas as a place of settlement.³ Lieutenant Wilson was therefore sent back to the

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, IV, 57, 93.

2. *Ibid.*, II, 92, 93.

3. *Ibid.*, IV, 158, 204, 233, 340, vii, 224, 233, 247, 248, 351.

islands, and gathered the information for an extended report that proved to be more reassuring than that of the prospective settlers in New Providence.

Indeed, this report left little doubt concerning the availability of the Bahamas for colonization by the refugees. It ascribed the uncultivated condition of the islands to the indolence of the inhabitants, who contented themselves, it declared, with whatever nature produced by her unaided efforts. They took no trouble to clear the land, but planted small patches of Guinea corn, yams, and sugar cane, which they left without further care until the crop was ready to be gathered. It asserted that pineapples, oranges, lemons, limes, cocoa, and other fruits common to the West Indies would readily grow in the Bahamas, and maintained that the soil had never been put to a fair test, such as it would now be subjected to by the new settlers. It did not attempt to conceal the fact that the islands were rocky and the surface rough, but called attention to the three kinds of soil existing there, one adapted to the growth of cotton, another to the raising of vegetables of all kinds, and the third to the production of Guineacorn.¹

Reassuring as this report proved to be, it came too late to start the movement of the loyalists from Florida to the Bahamas. The event that gave the impetus to this movement was the arrival of some government transports and victuallers at St. Augustine on September 12, 1783. By this time many of the loyalists had become convinced that they could no longer stand on the order of their going, but must go at once. Two days later a number of them applied to McArthur for conveyance to the islands for themselves and their negroes.² Unfortunately, we are left in ignorance as to the success or failure of their application. But as Lieutenant-Colonel Brown and most of his regiment of East Florida Rangers, together with a few of the men of the North and South Carolina regiments, made their decision in favor of the Bahamas at this time, it is highly probable that conveyance was supplied to all those desiring it. Of the North Carolina corps, however,

1. Stark, *History and Guide to the Bahama Islands*, 172, 173.

2. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, IV, 351, 356.

more than half asked for passage to Nova Scotia, while nearly two-thirds of the South Carolina corps chose to be discharged from service in St. Augustine.¹ Although we catch but few glimpses of what was taking place in East Florida during the remainder of the time allowed for its evacuation, we can scarcely doubt that parties of varying size, some in small vessels supplied by themselves, were embarking from time to time for the Bahamas and the neighboring islands. This exodus was encouraged not only by Wilson's report, and by the means of transportation provided by the Crown, but also by the favorable conditions offered to those who wished to settle in the archipelago. According to instructions issued to Lieutenant-Governor Powell, September 10, 1784, he was to grant unoccupied lands in the Bahamas as follows: "To every head of a family, forty acres, and to every white or black man, woman or child in a family, twenty acres, at an annual quit rent of 2s. per hundred acres. But in the case of the Loyalist refugees from the continent such lands were to be delivered free of charges, and were to be exempted from the burden of the quit rents for ten years from the date of making the grants." These instructions were issued none too soon, for only fifteen days afterwards a number of transports and ordnance vessels arrived at Nassau with the garrison and military stores of St. Augustine. With this fleet came McArthur, whom Carleton had placed in command of the Bahamas for the time being. Within a few days there arrived also "seven ships and two brigs crowded with refugees." We are told that the stream of loyalists continued to pour into the islands during the early months of the following year, Spain having extended by four months the period allowed for the withdrawal of British subjects from Florida. Even this concession proved barely sufficient, for Governor Tonyn appropriated a few days of grace by making announcement that the last transport would leave the port of St. Mary's River, on March 1, 1785. He advised all persons of English blood to leave East Florida for the Bahamas before the Spanish governor took possession.²

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 351.

2. Geographical Society of Baltimore; *The Bahama Islands*, 424; Northcroft, *Sketches of Summerland*, 281; Campbell, *Historical Sketches of Colonial Florida*, 142; Fairbanks, *History of Florida*, 239.

But East Florida was not the only important source of the multitudes coming to settle in the Bahama Islands during our period. From New York City, Carleton sent more than 1,400 persons, who had associated themselves to colonize the Island of Abaco. On August 10, 1783, Brook Watson, commissary-general at New York, reported that most of this party—or, in his own words, “near a thousand souls”—were ready to embark. He saw to it that they were supplied with provisions sufficient to serve them for six months after their arrival, and recommended Phillip Dumaesq, a Boston loyalist, as commissary to accompany them and distribute the provisions. This recommendation was carried into effect, and Dumaesq probably sailed with the first contingent, which left New York sometime before August 22. Other refugees embarked at the same time for Cat Island. Carleton now shipped provisions for an additional six months, and instructed McArthur to do everything in his power for the exiles. During the month of October, two additional contingents of the associators got ready to sail, one of those numbering five hundred and nine persons. All told, 1,458 loyalists embarked at New York for Abaco, according to an official return of the Commissary-General, dated two days before the British troops evacuated that port.¹ This number does not include eight companies of militia sent from New York to the Bahamas in October 1783.² That Abaco derived part of its settlers from East Florida is indicated by a memorial, addressed to Carleton in June of the year just named, by some of the New York associators. This memorial stated that many persons from St. Augustine were expected to join the new colony, and another memorial, published in New York about the same time, announced more explicitly that the number of loyal inhabitants of East Florida who had actually engaged to take part in the settlement of Abaco was upwards of 1,500.³ On October 21, Carleton communicated to Major-General Edward Mathew, commandant of the British West Indies, that he expected adherents of the Crown to remove from East Florida to the Bahamas during the following winter, and ordered him to send six months provisions for 2,000 men to

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit., IV*, 470, 271, 272, 283, 407, 437, x.

2. *Ibid.*, 398.

3. *Report on the Am. Mss. in the Roy. Inst. of G. Brit., IV*, 188. *Manual of the Corporation of the City of New York, 1870*, 791.

New Providence, in addition to the supplies that had been already sent from New York. He hoped thus to provide a quantity sufficient to subsist the new settlers until they should be able to raise their own produce.¹

It is difficult to estimate the increase in population of the Bahamas due to the immigration of the loyalists. Bryan Edwards, writing at the beginning of the nineteenth century, does not attempt it, but contents himself with telling us that the inhabitants who in 1773 numbered 2,052 whites and 2,241 blacks were "considerably augmented" by the emigrants from North America.² Northcroft, writing in 1900, is more positive: he states that before the emigration there were only 1,750 white people in the colony and 2,300 colored; but that the influx of refugees raised the number of the former to 3,500 and the latter to 6,500.³ Dr. Wright, who investigated the subject in 1905, seems to accept these figures.⁴ But, according to a census of 1782, in which seven of the islands are named, the total number of inhabitants was 4,002, less than one quarter being negroes. In the light of the evidence presented in this paper, it seems safe to say that the Bahama Islands gained between 6,000 and 7,000 inhabitants of both races from June, 1783, to April, 1785.

One of those who came to the Bahamas later than most of the others loyalists was Colonel David Fanning of North Carolina, who received his commission in the Loyal Militia of Randolph and Chatham Counties in July, 1781.⁵ It is true that Colonel Fanning remained only a short time in the islands; but his adventures between the evacuation of Charleston and his arrival at Nassau, serve to illustrate vividly the vicissitudes of the Southern refugees during this trying period. At the end of September, 1782, Fanning and his wife were at Charleston, where the shipping was ready for those desiring to embark for St.

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 420, 421.

2. *History of the West Indies*, II, 199, 200; Lucas, *Historical Geography of the British Colonies*, II, 80, n.

3. *Sketches in Summerland*, 282.

4. *History of the Bahama Islands*, 425.

5. *Fanning's Narrative*, 1908, 17; *Report of the Bureau of Archives Ont., Pt. I*, 241

Augustine. Many loyalists had previously signed to go under his direction to East Florida. Accordingly, he ordered them to embark, and, on November 6, went on board the transport *New Blessing*, whose name doubtless seemed something of a mockery before that vessel sailed eight days later. On November 17, the convoy cast anchor off the Florida coast, and there laid eight days more before its weary passengers could go ashore. After another but briefer delay, Fanning was able to get his effects landed at a point about twenty-seven miles from St. Augustine on the Matangeys, where he thought of settling. Becoming dissatisfied there, he went next to a more distant locality on the Halifax River to establish a plantation, for which he had a supply of negroes.

In February, 1783, having met Major Deveaux, who was collecting volunteers for his expedition to capture New Providence, Colonel Fanning agreed to join him, and raised thirty men for the purpose; but through some oversight was left behind. Later, several of the Colonel's slaves took sick and died, thereby destroying his hopes of establishing a plantation. He, therefore, moved into St. Augustine, but only to fall desperately ill himself. Shortly after his recovery from this sickness, the news of the peace reached East Florida, and the evacuation of that province was ordered. At the same time, the ships came that were to carry the provincial troops to Nova Scotia; but Fanning's personal property was still in the country, and he had not yet decided where he wished to go. Before settling this point, he visited the Mosquito Shore, and received from its inhabitants a petition addressed to Governor Tonym, under date of January 24, 1784. This petition asked for a schooner to transport the inhabitants to East Florida before the intended surrender of that province, as the petitioners desired to leave with the other loyalists. Fanning delivered this message to the Governor, and appears to have carried back in person the latter's reply, namely, that the inhabitants must get to the shipping as best as they could, inasmuch as there were no government vessels available to send for them. In a speech that Fanning made to these people, he declared that the loyalists had been sacrificed to the indignation of their enemies, and that nothing was to be expected of Great Britain. He, there-

fore, advised his hearers to throw themselves on the mercy of the Spaniards, and announced his own intention of betaking himself to the farthest limits of West Florida, in order to settle "at or near Fort Notches [Natchez] on the Mississippi River."

That this was not idle talk is shown by the fact that Colonel Fanning set out, March 20, 1784, from St. Augustine, with seven families, his wife, and two negroes, all in open boats, for the Mississippi country. After sailing one hundred and sixty miles, he lost sight of his companions, and never saw them afterwards, although he waited for them twelve days, he tells us, at "Scibersken." From that point, he journeyed to Key West, where he was detained by a gale for more than a fortnight. There he met a Spanish schooner, and was warned that his boat was too small for the voyage he was undertaking, and that he stood a poor chance of escaping death at the hands of the Indians. Thereupon, he sailed back to one of the other keys, where he found an Italian skipper from New Providence, engaged in catching turtles. Fanning discovered this man to be untrustworthy and grasping, but, having no other alternative, engaged passage with him at an exorbitant price. Fortunately, however, the arrival of several other seamen from the Bahamas, on July 12, enabled Colonel and Mrs. Fanning to make the voyage to New Providence with a captain who showed them every attention. Landing at Nassau, the Fannings remained there only twenty days, and then sailed for New Brunswick, where they cast anchor, September 23, 1784. They departed a month later for Halifax, Nova Scotia, with a view to obtaining land for settlement.¹

Abaco, which probably received a greater share of the immigrants than any of the other Bahamas, is the largest island of the group, and one of the most fertile. Philip Dumaresq, who remained there as commissary for more than a year and a half, gives some particulars regarding the island, which enable us to identify it with Great Abaco: the length of the island, he says, is about a hundred miles, and in shape it "forms an elbow." He found the climate delightful, but noted that the soil was so shallow that in a dry season the sun heated the rock underneath and burned up any vegetables that had been planted. He also recorded

1. *Fanning's Narrative*, 1908, 37-46.

that an unusual drought had prevailed almost from the time the loyalists had arrived there. He wrote that Guinea corn, potatoes, yams, turnips, and other garden produce would grow very well, together with such fruits as oranges, limes, and plantains (bananas), and that cotton would thrive; but he complained that the settlers were all poor, had not the strength to do much, and that he had seen no fresh meat, except pork, since his arrival. However, poultry, he said, could be raised in plenty. The abundance of wild grapes convinced him that good wines might be produced, and he was told that indigo could be cultivated successfully. He and his family did not find the people of Abaco at all congenial, and he speaks of them in no complimentary terms in the letter to his father-in-law, Dr. Sylvester Gardiner, the Boston loyalist, from which we glean our informant's impressions of the island and its occupants; on the other hand, the Commissary had nothing but good words for the treatment accorded him by John Maxwell, governor of the Bahamas, and General McArthur. These gentlemen, he testified, treated him only with the greatest politeness, and the former appointed him a magistrate in order, he declared, to keep him from being "insulted by the Abaco Blackguards."¹

If, however, Governor Maxwell showed himself kindly disposed towards this lone loyalist officer, he yet exhibited an unmistakable prejudice, which he shared with the older inhabitants, towards the new element in the colony. The coming of the loyalists thus brought with it factional feeling—feeling that grew so pronounced ere long as to lead the new settlers to disavow openly any responsibility for an address of regret presented to the Governor when he surrendered his office, and returned to England in the summer of 1785. The Americans promptly became the party of opposition to the existing government in the islands: they criticized the administration, accused Governor Maxwell of attempting to withhold from them the right of trial by jury, and of other conduct which they characterized as tyrannical. They also found fault with some of the laws, on the ground that they were repugnant to those of the mother country, and they demanded reform. The elections of 1785 gave the loyalists some

1. The Gardiner, Whipple, and Allen Letters, Vol. II, 49. (In the Library of the Massachusetts Historical Society, in Boston.)

members in the House of Assembly, but the native population was still in control there; and when several members, who favored the new party, withdrew from the House and persisted in absenting themselves against the House's orders, they were declared to be no longer eligible to seats in that body. The loyalists sent a petition to the Assembly asking for its dissolution, which, after being read, was handed over to the common hangman to be burned before the door of the House.

By the latter part of 1786, the Americans had become the stronger party in the Bahamas; but the Earl of Dunmore, who succeeded to the governorship at this time, pursued the same policy as his predecessor. He received petitions from New Providence, Abaco, Exuma, and Cat Island, again praying that the Assembly be dissolved; but, as he declined to accede to them, that body lasted about eight years longer, or until the end of Dunmore's administration. Then, finally, an act was passed that limited the life of a legislature to seven years.

Up to 1787, the title of the lands of the Bahamas had been vested in the Lords Proprietors of the islands. Now, however, the proprietary rights of these gentlemen passed to the Crown "on the payment of £2,000 to each of them." Henceforth, the King would exercise the rights of granting lands and collecting quit rents, although this was to be with less success, insofar as the quit rents were concerned, then under the Lords Proprietors.¹

Besides affecting political conditions in the colony, the influx of the loyalists had a marked effect upon the commercial, agricultural, and social conditions of the archipelago. By 1800 the town of Nassau alone had a population—a little more than 3,000—equal to the whole population of the only islands inhabited thirty years before, namely, New Providence, Eleuthera, and Harbor Island. The exports of Nassau are said to have amounted only to £5,200 for the years 1773 and 1774, and her imports to £3,600 for the same period; while for 1786 and 1787 the former had increased in value to £5,800, exclusive of the large amount of bullion exported, and the latter to £136,360. McKinnen, who made a tour of the Bahamas in 1802 and 1803, reports that six square-rigged vessels were seen at one time in Nassau harbor laden

1. Fiske, *The West Indies*. 125; Geographical Society of Baltimore, *The Bahama Islands*, 426.

with cotton for London, and tells us that during many years previous the exports of this commodity amounted to several hundred tons per annum. He also notes that the town was frequently visited while he remained there by African slave-ships, some of which disposed of their cargoes on the island. The principal trade of Nassau, McKinnen says, was carried on with England, the southern islands in the West Indies, and the United States, whence it derived continual supplies of live stock and provisions.¹ The same authority states that the exports from the islands included salt, turtles, mahogany, dye and other woods and barks. Wrecking was also a source of considerable income, since wrecks were continually occurring among the Bahamas.²

Agriculture, even more than commerce, was given a new impetus by the American refugees, many of whom were planters from the South, accompanied by a considerable number of their slaves. It did not take these experienced cotton raisers long to clear lands and plant their crops. "It is said that fifteen years after their arrival, forty plantations, with between 2,000 and 3,000 acres in cotton fields, had been established on Crooked Island alone, and that on Long Island, which was settled at an earlier date, and which had been more extensively improved, there were in 1783 nearly 4,000 acres in cultivation. The combined yield from Long Island and Exuma for one year was estimated at over 600 tons." McKinnen found that the planters—most of whom came from Georgia, according to his account—had brought with them different varieties of seed, especially the Persian, but that Anguilla cotton was being more generally cultivated at the time of his visit. It was customary to assign not more than four acres of Persian plants to each working slave, while five or six acres formed the usual allotment on the plantations where the Anguilla cotton was being grown. The best crops were secured from the higher lands, and amounted to one-half or three-fourths of a ton of clean lint for each working slave on some estates, although the average yield was about one-sixth of a ton or less. Another crop

1. Geographical Society of Baltimore, *The Bahama Islands*, 148; McKinnen, *Tour Through the British West Indies*, 216, 217; Northcroft, *Sketches of Summerland*, 282; McKinnen, *Tour Through the British West Indies*, 218, 219.

2. Geographical Society of Baltimore, *The Bahama Islands*, 149.

that was universally cultivated was Guinea corn. The production of cotton, however, was not destined to be permanently successful. When McKinnen visited the islands in 1802-1803, he found the plantations on Crooked Island for the most part deserted, and the proprietors generally despondent over the agricultural outlook. Mr. Charles N. Mooney of the United States Bureau of Soils, who has thoroughly investigated this subject, thinks that the same conditions probably prevailed in all the other islands, and proceeds to explain that the failure of cotton was due chiefly to the attacks of insects, but that other causes were also operative, as disclosed by a committee of planters who looked into the matter at the time. This committee reported as additional causes for the failure of cotton growing, "the use of land unsuited to its culture, the injudicious and wasteful methods of clearing the land, and the exhaustion of the soil by unremitted tillage." The result appears to have been a marked decline in the production of cotton after the year 1805, together with a decrease in the value of land and slaves.¹ These conditions led inevitably to the emigration of some of the planters with their negroes before the exportation of slaves from the British colonies was prohibited, and to attempts at securing the right to emigrate with them after the slave trade was abolished in 1807. These conditions serve to explain the return to Florida of a body of loyalists who formed a settlement at New Smyrna, although they soon abandoned this place to seek homes in the States on account of the distasteful policy of the Spanish administration.² The news of the activity of the opponents of slavery in England, which did not reach the Bahamas until 1815, must have had a further demoralizing effect upon cotton culture in the islands; and when slavery was abolished in 1834 cotton ceased to be an important crop. We are told that the fine estates that had been built up were now deserted and that the owners either moved to Nassau or left the islands altogether.³ When emancipation was declared the Bahama slave owners received £128,296 for their negroes, or £12, 14s, 4d, per head. This was a comparatively low figure,

1. Geographical Society of Baltimore, *The Bahama Islands*, 148, 149; McKinnen, *Tour Through the British West Indies*, 183; Geographical Society of Baltimore, *The Bahama Islands*, 426, 552.

2. Fairbanks, *History of Florida*, 244.

3. Geographical Society of Baltimore, *The Bahama Islands*, 149, 429.

considering the reimbursements of other colonies; but this fact may possibly be regarded as proof that slave labor was not very remunerative in the Bahamas.¹

The presence of the American refugees affected more or less the social conditions in the Bahamas, for the newcomers soon outnumbered the older inhabitants, and they introduced their own conceptions of plantation life and of the relations of master and slave. Many of the new whites were persons of energy, and we have McKinnen's word for it that the blacks in general possessed "more spirit and execution" than those in the southern parts of the West Indies. The planters assigned the various tasks to their negroes, "daily and individually" according to their strength; and if the latter were so diligent as to have finished their labors at an early hour, the rest of the day was allowed them for amusement or their private concerns. Another feature that tended to soften the system of slavery in the islands was the absence of the overseer from most of the estates. The master usually acted as his own superintendent; and it rarely happened, therefore, according to McKinnen, that the negroes were so much subject to the discipline of the whip as was the case where the gangs were large, and the direction of them was entrusted to agents or overseers. It was, nevertheless, true that some planters were brutal, that female slaves as well as males were sometimes flogged, and that masters "had the right practically to punish their slaves at their own discretion," without being held accountable for their acts of cruelty.²

The immigration to the Bahamas probably trebled the number of blacks, and raised the relative majority of blacks over whites by more than twenty per cent. It is not surprising, therefore, that the stringency of the laws regulating slaves should have been increased. The sentiments and fears of the ruling class, which arose out of the changed situation, appear in the legislation enacted by the General Assembly of the colony in 1784. This legislation provided for the punishment of assault on a white by a slave with death; it provided that other abuse of a white person

1. Northcroft, *Sketches of Summerland*, 292.

2. Edwards, *West Indies*, Vol. IV, Ap., 358; Northcroft, *Sketches of Summerland*, 285.

should be atoned for by a fine of £15, or by corporal punishment, not limited in amount or character; it provided that "whites could disarm not only slaves but also free coloured persons whom they found at large with arms in their hands;" it imposed a tax of £90 on any one manumitting a bondman, and gave validity to the evidence of slaves against manumitted persons in all trials for capital or criminal offenses; while against white persons only Christian negroes, mulattos, mustees, or Indians were allowed to testify at all, and they only in suits for debt.¹

In 1796 it was enacted that slave owners should endeavor to instruct their slaves in the Christian religion, and have those baptized who could be made sensible of a Deity and of the Christian faith; but as there was only one clergyman in the entire colony at that time it is not likely that many slaves were baptized.²

Inasmuch as planters were sometimes annoyed by the escape of their slaves, it was customary to offer private rewards for the return of the runaways. We are told that hardly an issue of the *Bahama Gazette* appeared in 1794 and 1795 that did not give notice of the escape of a fugitive. At length an epidemic of escapes into the interior occurred in the small island of New Providence, and a law was passed ordering the registration of all free negroes, mulattoes, mustees, and Indians, and providing that if at any time five or more runaways were reported, free negroes might be sent in pursuit of them. Colored freemen were promised rewards for the arrest and delivery of runaways, and were allowed to kill a fugitive slave, if necessary, in order to defend themselves from his attack.³

Slaves were excluded from service in the local militia. So, also, were free blacks until the year 1804. After that time, prejudice served as a sufficient bar against the exercise of this right until after emancipation was declared. Much the same restrictions held in regard to jury service by negroes during the same period.⁴

By a statute of 1805, the trial of all suits relating to the freedom of slaves was confined to the highest tribunal in the colony,

1. Geographical Society of Baltimore, *The Bahama Islands*, 449, 450, 451, 456; Northcroft, *Sketches in Summerland*, 288.

2. Northcroft, *Sketches in Summerland*, 288.

3. Geographical Society of Baltimore, *The Bahama Islands*, 453.

4. *Ibid.*, 448.

namely, the General Court. As that body sat only in the island of New Providence, it was necessary to provide that in the case of the Out-islands a magistrate could require a master, on sufficient evidence, either to surrender his claim of ownership to the alleged slave, or pay the expense of sending the latter to Nassau for trial before the court specified. If the claimant secured judgment, he could bring another suit for damages, as well as for wages, for the time he had been held in bondage.¹

Meanwhile, the planters of the Bahamas were already suffering from crop failures, and were deeply concerned over the uncertainty of the tenure of the lands which they held. After 1807 the foreign slave trade could no longer be carried on openly in the islands, and a few years later residents were claiming that their slaves had lost a quarter of the value which they possessed during the first decade of the nineteenth century. Under these circumstances, it was but natural that the slave owners, especially the refugees from the Southern states, should oppose the attempts of the English Parliament to get the colony to adopt laws for the amelioration of the condition of the blacks. These American refugees had been brought up in an atmosphere of slavery; they had been accustomed to dealing with it in their own way; and they were averse to any interference with it, especially any interference which they believed to be ruinous to their property rights, and conducive, as they alleged, to slave insurrections. The Bahama Assembly took its stand from the first against the successive measures recommended by the British government and supported by the local government. Thus a struggle began in the islands in 1815 that continued for nearly fifteen years. This struggle started with a controversy over the need of the registration of the slaves, the House of Assembly maintaining that registration was wholly inexpedient and would prove disastrous to the islands.²

This situation was greatly aggravated by an incident in which the attorney-general of the colony, William Wylly, a Georgia loyalist, figured so prominently that it has been designated "the Wylly affair." This incident aroused such feeling between the local legislature on the one hand and the local govern-

1. Geographical Society of Baltimore, *The Bahama Islands*, 451.

2. *Ibid*, 430, 433, 440-445.

ment on the other that legislation in regard to the registration of the slaves was precluded for a term of four years. In 1816, Attorney-General Wyly brought action to prevent a master's removal of his three negroes from New Providence to Georgia, on the ground that the slaves had been imported since the abolition of the slave trade. Two of the slaves were restored to their owner, but the third was not. The House of Assembly objected to the conduct of the Attorney-General, and also to his opinion in favor of the use of licenses and bonds for removals under the imperial statute of 1806. Its hostility was further aroused by the rumor that Mr. Wyly was in correspondence with an anti-slavery society in London, called the African Institution, which he was alleged to be keeping informed as to the colony's attitude on the question of registration.

Having determined to investigate the Attorney-General's conduct, the House undertook to summon him before a committee, only to receive an answer which it considered contemptuous. A messenger, who was sent to arrest him, was resisted by armed slaves on Mr. Wyly's premises. Outraged at this, the House next asked Governor Cameron to suspend the Attorney-General from office, and again attempted his arrest. This time it was successful, but within an hour after his imprisonment he was released by order of the Chief Justice. The House now declared the action of the Court unconstitutional, and again ordered the arrest of the released prisoner; whereupon the Governor dissolved the House. If, a few days later, the action of that body was unanimously approved by a public meeting at Nassau, the Governor had the satisfaction of receiving in due time the support of the home government. Nevertheless, the struggle was renewed by the next Assembly and its two successors.

At length, in 1818, the House passed a "healing act" under the pacifying influence of a new executive, Major-General Lewis Grant; but also voted that it could not, consistently with its dignity, and never would, grant salaries to William Wyly and the Justice of the General Court for past services since the commencement of the dispute, or for any future services. It also reasserted its claim to superiority over the courts. The uncompromising

attitude of the House on these matters led to its dissolution in December, 1820. Thus, the House of Assembly spent four years in trying to override the other departments of the local government on account of the Wyly affair, and then finally adopted (1821) the system of registration for slaves.¹

But the greater conflict was to occur over the demand for a programme of amelioration. According to this programme, which originated in Parliament and was urged by the Ministry, the flogging of female slaves was to cease; instruction was to be given to negroes in the principles of Christian morality and religion; the right to testify in courts of law was to be accorded them after they had been duly qualified to exercise such a right; the sacredness of the marriage tie was to be taught and fully protected; self-emancipation was to be encouraged, together with the accumulation of property by negroes, and too severe punishments were to be discouraged. The Bahama Assembly did not bring itself to accept these reforms until the year 1824, when it enacted a new slave code which embodied only a part of them. In 1826, however, it supplemented the code by amendatory legislation, which included almost all of the recommendations of the British government. This legislation, we are informed, "contained practically all that the Bahamas ever conceded in the enactment of regulations for the amelioration of their slaves," although "a few minor points were added in 1829."² But, even yet, the provision against the flogging of female slaves had found no place in the new law.

In the year last named, Sir James Smyth was sent out as governor of the Bahama Islands. His first duty was to enforce the slave code, and thus accomplish the end at which the home government had been aiming through all the previous fifteen years. As he was himself an abolitionist, he had no desire to shirk his responsibility, although he hoped to secure the coöperation of the House of Assembly in the performance of his duty. However, he soon came into a clash with that body in his efforts to prevent the flogging of enslaved women. The House brought a number of charges against the Governor, including one of mal-

1. Geographical Society of Baltimore, *The Bahama Islands*, 433-440.

2. *Ibid.*, 442, 445, 446-456.

administration, and decided to ask the King to remove him. Under such circumstances, the only thing left to Sir James was to prorogue the Assembly, which he did after a few weeks' delay. But the new Assembly, elected in 1832, was in no better mood, and the Governor found himself compelled to resort to another dissolution. In the spring of 1833, Sir James Smyth was recalled, and was succeeded by Blaney T. Balfour as lieutenant-governor. This change gave no hope of a better understanding in regard to the point in dispute between the executive and legislative departments of the colony, inasmuch as Mr. Balfour held the same convictions as his predecessor on the slavery question. Meanwhile, English sentiment had been so aroused by the failure of the colonists to enact the reforms demanded by enlightened humanitarianism that the imperial Parliament was forced to pass the statute abolishing slavery in the British Empire. Although this action was taken in the spring of 1833, the old laws governing the relation of masters and slaves were allowed to remain in force in the colonies until the first of August, 1834.¹ That the loyalist immigration was partly responsible for this result is obvious: it not only strengthened the hold of slavery on the Bahamas and the British West Indies, but also furnished a specious standard of private rights combined with public interests, under which those who had given proof of their steadfastness could do battle in behalf of a cherished but doomed institution.

V. The Loyalists in Jamaica

While we know far less of the life of the loyalists in Jamaica and the other British West Indies than of the life of those who settled in the Bahamas, the general conditions amidst which they settled are clearly distinguishable. The size of Porto Rico, together with its advantages of harbor and soil, and some doubts about the effects of Parliament's compensating the loyalists in money for their losses and sufferings led a Boston gentleman of great prominence in his day, Sir John Temple, to draw up a plan for the acquisition of this island by Great Britain, with a view to settling the friends of government there. It is not known that this project was ever submitted to the British authorities; but,

1. Geographical Society of Baltimore, *The Bahama Islands*, 480-483.

nevertheless, it is not without a certain interest for the student of loyalist affairs. Temple's project, then, contemplated the reimbursement of the impoverished loyalists partly in Porto Rican lands, instead of in money exclusively. Moreover, even those who had lost no estates were to receive grants of land. For the benefit of merchants, tradesmen, and others, a town was to be laid out and allotted to members of these classes. Such a parceling out of the island, which Temple said contained 3,290,000 acres, would enable it to accommodate 30,000 families. If negroes were to be admitted, which the author of the project thought contrary to good policy, they should be taxed; and the money secured from this source should be paid out in bounties on certain exports, such as cotton and indigo. Sugar plantations ought not to be encouraged, for England needed raw materials for her manufactures more than she needed sugar; and Porto Rico could well supply lumber and produce to the sugar islands, as well as large quantities of cotton and indigo to Great Britain. Following such a plan, Porto Rico would soon surpass Jamaica in importance. But, the land should be kept low in price, and should be subject to forfeiture if not settled within a specified period after being granted.¹

Meanwhile, Jamaica was receiving considerable numbers of loyalists and negroes from the mainland, the great convoy from Charleston arriving on January 13, 1783. Six weeks later, the Assembly of the island passed an act for the benefit of all white refugees who had already come in, or should follow later, with the intent of becoming inhabitants. This act was made applicable to former residents of North and South Carolina and Georgia, the Bay of Honduras, the Mosquito Shore, and other parts of North America, who were paying the price of exile by being forced to relinquish their dwellings, lands, slaves, or other property. It exempted these persons for seven years after their arrival from the payment of imposts on any negroes that accompanied them, as well as from all manner of public and parochial taxes, excepting the quit rents on such lands as they might purchase or patent. It also released them from all services, duties, and offices, except the obligations to serve in the militia, and decreed that the

1. Winthrop Papers, XXIV. (In the Library of the Massachusetts Historical Society, Boston.)

charges for patenting their lands should be borne at the public expense. To avoid dispute in regard to those entitled to the benefits of the act, it was provided that all persons claiming such benefits should make affidavit, before the magistrate of the parish or precinct where they proposed to settle, of their last place of residence, the number of slaves they had brought with them, and of their intention in coming to Jamaica, this declaration to be made within three months of the passing of the act for those who had already arrived, or within the same period after their arrival for those who should come later. The local magistrates were to issue certificates to the persons satisfying the above requirements, and these certificates were to be duly recorded in the office of the secretary of the island. Loyalists who patented lands were obliged to settle and plant at least a part of these, and proceed with their improvements without intermission within two years from the date of their patents, and in default of so doing were to lose their lands. The reasons for the enactment of the above measure, which were embodied in its preamble, were that the Assembly of Jamaica felt bound by every principle of humanity to relieve and assist the suffering refugees, and that it was only good policy to give them all due encouragement, inasmuch as nothing could tend more to the security, wealth, and prosperity of the island than the increase of the inhabitants.¹

These reasons, however, did not prevent a protest against the new law on the part of some of the older inhabitants. While applauding the law and the motives from which it sprung, the justices and vestry of Kingston presented a petition to the Assembly, November 30, 1784, calling attention to the effects of the measure upon their parish, which, they claimed, was more burdened by its provisions than all the other parishes combined. The petition explained that there were nearly seventy house-keepers in the town of Kingston who were refugees, and hence were exempt from parochial taxes, although many of these were apparently wealthy and were engaged in commerce to a considerable extent. Others were tradesmen or mechanics in the exercise of lucrative employments. Some of these persons were occupying fine houses in the best situations in the town. Thus, the petitioners were deprived of the taxes that might have accrued

1. *Acts of Assembly of Jamaica, 1778-1783*, 337, 338.

from the "opulent refugees," and were also burdened with a numerous poor of the same description, who came from the Mosquito Shore, the Bay of Honduras, and all parts of North America. The petition further recited that £1041, 11s, 4d., had been raised by subscription in Kingston for the relief of these exiles, but that the sum was so inadequate that numbers of hem still remained in the utmost distress. The parish-house was crowded with refugees, and outside support was being furnished to many others by weekly distributions of money. All this occasioned "a very great and grievous addition to the parochial taxes," in the words of the petition, from which is borrowed the annexed schedule of sums expended on the exiles in the years 1783 and 1784:

	1783	£.	s.	d.
32 addit. pers. admitted into the parish-house, at the average of 24 l. each.....	768	0	0	
Paid for the passage of sundry refugees to other countries where they were desirous to go, & occas. necessities; & for the temp. support of many peo. in distress.....	127	4	2	
1784				
20 addit. pers. admitted into the parish-house, to the pres. time; but in all prob. the num. will soon equal that of last year.....	480	0	0	
Paid for passages and occas. necessities.....	301	4	0	
Out-pensions to refugees, about 5 l. <i>per</i> week, taking an average of two yr. for twenty-one months.....	455	0	0	
	2,131	8	2	

This petition was referred to the committee of the whole House, which was to inquire further into the state of the island but what action, if any, was taken in regard to it does not appear.¹ It is worth remarking, however, that the advent of the loyalists in Kingston had cost that parish no less than £ 3,172, 19s. 6d. in public and private contributions up to the end of November, 1784.

Other parishes in which loyalists are known to have settled were Port Royal, St. Thomas-in-the-East, St. Andrew, St. George, St. Catherine, St. Elizabeth, St. Thomas-in-the-Vale,

1. *Journals of the Assembly of Jamaica, VIII, (1784-1791)* pp. 32, 33.

and Trelawney. But, as was asserted by the justices and vestry of Kingston, the proportion of newcomers in these parishes was small in comparison with those in Kingston, probably between eight and nine per cent. of the latter number. The writer has in his possession copies of one hundred and seventy-four of the certificates that were issued to refugees, in accordance with the act of 1783. These show that one hundred and forty-five of the recipients chose Kingston as their place of abode. Eighteen others, whose locations are given, distributed themselves over the other parishes. Sixty-one of the hundred and forty-five were accompanied by slaves, to the number of eight hundred and eighty-one. Of the eighteen others, only nine had slaves, who numbered all told five hundred and sixty-eight. While fully a fourth of these certificated loyalists had but few negroes, the rest had anywhere from five up to two hundred and over. One refugee was in charge of two hundred and two blacks, including eighty-nine of his own, who had been employed for some time on the public works, but were afterwards engaged in "jobbing" in different parts of the County of Surrey. Another refugee had brought over four hundred and twelve blacks, of whom more than half were the property of Sir James Wright, recently governor of Georgia, while another was in charge of one hundred and eighty-one, nearly two thirds of these belonging to the Hon. William Bull, late lieutenant-governor of South Carolina. Since their arrival, the last named group of one hundred and eighty-one slaves had been employed on the public works and in "jobbing" in several parishes.

A few of the exiles came from Connecticut, Massachusetts Bay, New York, and Pennsylvania, a few also from Maryland, and Virginia, but by far the greater number came from the other Southern states. Out of the hundred and seventy-four certificated loyalists, referred to above, sixty-six were from South Carolina, the most of these having come at the time of the evacuation of Charleston. Fifty-four gave the Bay of Honduras and the Mosquito Shore as their former places of residence. Among the new settlers there was a sprinkling of "gentlemen," surgeons, tradesmen, Quakers (from Philadelphia), widows, and men who had served in loyalist corps. The Quakers had been driven south-

ward by being threatened with trials for treason. William Roach, a refugee from New York, in making affidavit before the magistrate of his parish, told of having raised a company in the corps of Loyal American Rangers, commanded by Colonel William Odell. That there were many planters among these people goes without saying. As early as January, 1784, accounts of the success of some of these loyalists in raising large crops of indigo were circulating in St. Augustine.¹ One surviving record shows that lands were granted to no less than one hundred and eighty-three refugees in the parish of St. Elizabeth. We are informed that the region in which these grants were made was little better than a morass, and that a claim for payment by the persons who surveyed and apportioned the tract led to an inquiry on the part of the House of Assembly, "when it was stated in evidence that none but amphibious creatures, such as fishes, frogs, and 'Dutchmen' could live there." It chanced that one of the loyalists who tried the experiment bore the appropriate name of Frogg, but reported in sorrow that he had buried most of his family in consequence, and that his case was only one of many.²

Among the refugees families that settled in Jamaica was that of Dr. William Martin Johnston, the son of Dr. Lewis Johnston, for some years treasurer and president of the King's Council of Georgia. While in the North, William became a captain in the New York Volunteers, or Third Loyal American Regiment. In 1779, Captain Johnston married Elizabeth Lichtenstein of Savannah, in whose *Recollections*, written in 1836, is preserved a record of experiences that may fairly be regarded as typical for a large class of island settlers. On the capture of Savannah by the revolutionists in July, 1782, the elder Dr. Johnston and his family were compelled to withdraw to East Florida, and until that province was ceded to Spain, he lived in St. Augustine. Captain and Mrs. Johnston, however, went from Savannah to Charleston with the military. When, in December, Charleston was evacuated, Mrs. Johnston and her children took passage to St. Augustine to join her father-in-law's family, while her husband accompanied his regiment to New York City. Mrs. Johnston relates that she was conveyed to her destination by a small schooner, and arrived

1. Eaton, *Recollections of a Georgia Loyalist*, 218.

2. Gardner, *History of Jamaica*, 211, 212.

there safely "with many more Loyalists," although she saw "many vessels lying stranded along the shore that had been wrecked on the sand bar." It may have been that she was writing of this dismal sight, when she remarked in a letter of January 3, 1783, to her husband: "Out of the last fleet from Charleston there have been sixteen sail of small vessels lost on and about the Bar. There are six or eight high on the beach." At any rate, she reported that no lives had been lost at the time of her own landing, although "much of the poor Loyalists' property" was destroyed.

Mrs. Johnston found St. Augustine occupied by many Greeks from Smyrna and Minorca, who had been brought there by a Dr. Turnbull to cultivate his lands on the Metanges, some miles from the city. Inasmuch as these people had failed to get along well with their employer, they had left his estates and come into town. The Johnstons remained in St. Augustine for sixteen months, during which period fish proved to be their "chief dependence and ration." With the announcement that East Florida had been ceded to the Spaniards, and that St. Augustine was soon to be evacuated, Dr. Lewis Johnston was granted a transport for his sole use "to go wherever he wished in the British Dominion." Being a native of Scotland, he chose to return to that country, and late in May, 1784, embarked at St. Mary's River for Greenock with his own and his daughter-in-law's families. Captain Johnston had sailed in advance, with the intention of pursuing medical studies in Edinburgh and London. About the same time Brigadier-General Alured Clark, formerly commandant of Savannah, was appointed governor of Jamaica. This circumstance with others, led the Captain to decide on locating in Kingston, which he accordingly did in the autumn of 1785. However, his family continued in Scotland until some time in October, 1786, and did not arrive in Jamaica until the middle of the following December. The elder Dr. Johnston spent the remainder of his life in Edinburgh, and died there, October 9, 1796.

His son was kindly received by Governor Clark, and nominally attached to a regiment in order to enable him to obtain island pay at the rate of 20s. per week for himself, 10s. for his wife, and 5s. each for his children. Not long after this he ren-

dered important service in helping to combat yellow fever, which was brought to Jamaica from Philadelphia, and according to Mrs. Johnston's *Recollections*, "made great havoc among all newcomers and sailors," although it did not attack the natives, or others who had resided there long enough to become acclimated. Later, Dr. Johnston accepted attendance on the estates of James Wildman, one of the members of the Jamaica Council, near Kingston, in St. Andrew's parish, and settled in Liguana near Halfwaytree. Here he died, December 9, 1807. In the summer of 1810, Mrs. Johnston, having arranged the affairs of her husband's estate in Jamaica, quitted the island for Nova Scotia to reside with several of her children and near her aged father, who had removed thither.¹

The first large companies of loyalists who resorted to Jamaica were furnished provisions by the British government, but the supply soon proved inadequate. A memorial, dated April 8, 1783, was forwarded to Sir Guy Carleton at New York, signed by Charles Ogelvie, A. Wright, George Kincaid, William Telfair, John McGillivray, James Skene, J. O. Murray, Thomas Inglis, Sir James Wright, William Knox, and several others, requesting a further allowance until they could find "lands or employment, especially for their negroes."² Some of these loyalists secured the desired employment for their slaves, as we have already seen, by hiring them out to labor on the public works, or sending them out "jobbing," that is, to perform the heavy work on sugar and other plantations, such as digging the cane holes and planting.³ To the extent of being able to call on the British authorities in the United States for provisions, the loyalists were fortunate; but unless their appeal was promptly answered they had to endure not only the hardships peculiar to their own lot, but also the visitations of famine and hurricane that prevailed during the early years of their residence in the islands. In part, the prospect of starvation that confronted new and old settlers alike at this time was due to the destructive effects of the hurricanes of 1780 and 1781; in part, however, it was also due to the War of Independence, to which they owed their banishment from

1. Eaton, *Recollections of a Georgia Loyalist*, 11, 12, 24, 29, 64, 73, 74, *passim*.

2. *Report on Am. Mss. in the Roy. Inst. of G. Brit.*, IV, 19.

3. Gardner, *History of Jamaica*, 158.

the states. Despite the proclamation of peace, the home government adopted the policy of restricting trade with the neighboring continent. An order in Council was promulgated, July 2, 1783, limiting the importation of American products (live stock, grain, lumber, etc.) into the West Indies, to British vessels, and prohibiting entirely salt beef, pork, and fish.

Whether this policy of commercial hostility towards the revolted states met with the approval of the loyalist element in the West, Indies or not, it led most of the islands to send remonstrances and petitions to the British Parliament in 1784, on the score that they were dependent on America for supplies. The Legislature of Jamaica advocated free trade with the United States as the only means of affording a chance of carrying on the island estates, of supplying their families with bread, and of averting "impending ruin." These protests were given added emphasis by a destructive storm, which occurred, July 30, 1784. This storm either sunk, drove ashore, or dismasted every vessel in Kingston harbor. It blew down public buildings in or near Kingston, and caused the loss of many lives. Indeed, the situation had become so grave by the end of the first week in August that Governor Clark exercised his discretionary power to the extent of permitting the importation of provisions in foreign bottoms during the following six months. The immediate effect of all this was to induce the planters to increase their acreage in corn and other farm produce. Scarcely had they harvested their crops when another hurricane swept over Jamaica, August 27, 1785; and the Governor found it necessary to prohibit the exportation of provisions to other suffering colonies as an alternative to opening the ports once more to American ships. Even this measure did not prevent scarcity of food during the remainder of the year, but "the climax of misery seemed to be reached" when still another storm "burst upon the land," October 20, 1786.¹ Under the drastic stimulus of these years of disaster, supplemented by the severities of the navigation laws, the islanders came to depend more on themselves, not only in raising their own provision, but also in hewing their own staves.² The navigation laws ceased to be enforced after 1792, and were rescinded by Parliament a few years later.

1. Gardner, *History of Jamaica*, 212, 213.

2. Edwards, *History of the West Indies*, III, 284.

It should be noted, however, that the increased production of food stuffs was not accomplished at the expense of the sugar and coffee crops, which in 1787 exceeded those of any former year. We have no means of learning how far the loyalists and their slaves contributed to these various results. Probably, they contributed their share, especially in the cultivation of coffee, inasmuch as this industry was rapidly growing in favor with the island planters at the time the exiles began to arrive. While some refugees were early reported to have raised large quantities of indigo, they must have found, as did the other cultivators, that this crop was unprofitable in the absence of protection; although it was well suited to men of moderate means and owning but few negroes. The growing of cotton, to which many of the Americans had been accustomed, proved to be only partially successful in the West Indies, on account of the variable climate of these islands.¹

It has been truly said that in no colony did the system of slavery run more thoroughly its baneful course than in Jamaica, and in none did it die harder. As most of the loyalists who established themselves here were, or had been, slaveowners, there can be no doubt that they held the same views on the abolition of the slave-trade, the compulsory improvement of the slave code, and emancipation as did their fellow-colonials in the Bahamas. Moreover, they were now (in the year 1800) fully identified with a population of 30,000 whites, who were the proprietors of 300,000 negroes. During the previous decade, the white men of Jamaica had witnessed "the horrors which brought in the age of freedom" in the neighboring island of Haiti or St. Domingo; and they were familiar on their own soil with Maroon wars and slave rebellions. Jealous of their rights of self-government, they deeply resented England's interference with their cherished institution, which they regarded as the very foundation of their prosperity. The Assembly of the island struggled long and bitterly against the demands of the imperial government; but was compelled at last to submit to the inevitable and accept the sum of £6,000,000, or more, that was set apart as the purchase price of the slaves in Jamaica.²

1. Gardner, *History of Jamaica*, 159, 241, 242.

2. Lucas, *Historical Geography of the British Colonies*, II, 108; Gardner, *History of Jamaica*, 292.

VI. The Losses and Compensations of the Loyalists in the Islands

The losses of real and personal property sustained by many of the loyalists who fled to the West Indies and Bahamas were liberally compensated by the British government, as were the losses of those adherents of the Crown who settled in other parts of the British Empire. That the newcomers in these islands had relinquished a great amount of property is shown by the certificates issued to those who landed in Jamaica and avowed their intention of remaining as residents. As previously remarked, the writer has copies of one hundred and seventy-four of these certificates; and in one hundred and fifty-eight of them he finds evidence of the losses sustained by their possessors, definite amounts being given in one hundred and eleven certificates, while only general statements regarding the losses appear in the other forty-seven. The amounts reported range all the way from £15 up to £12,000, not a few running from £1,000 to £5,000. James Cotton of North Carolina reported the largest loss mentioned, namely, £12,000; while James Cary tells of having left Charlestown "under the necessity of abandoning all his property that he could not carry off with him, which property, so left, was confiscated by an Act of the Rebel Legislature and was of the value of £6,000 and upwards." Taking into account only the definite estimates contained in these certificates, the total amount of the losses would be £115,051, although doubtless some of the estimates were exaggerated.

A large class of claimants among the island settlers had suffered the deprivation of their property in consequence of the cession of East Florida to Spain. Four months before the definitive treaty was signed confirming this cession, the *East Florida Gazette* published a communication from Governor Tonyn in which the intended surrender of the province was announced. The communication also gave assurance that the government of Great Britain would pay every attention to the welfare of the refugees in the province, and that the Governor would exert himself in

"coöperating with them to obtain a compensation for their great losses and suffering."¹

The wretched condition of these unhappy people, for whom East Florida would soon cease to be an asylum, caused a stir in London, where the members of the Cabinet thought the matter sufficiently grave to warrant a special meeting, July 24, 1783. The purpose of this meeting was to discover some expedient for giving relief to the large number of loyalists then assembled at St. Augustine. The London papers reported that 5,000 of these people had transmitted a memorial of their distresses to the government; but that the mode of alleviation to be adopted had not yet been made known.²

Despite the commendable promptness of the Cabinet in considering this matter, Parliament appears to have taken no action for the financial relief of these loyalists until 1786, when it passed an act designating two commissioners to investigate the losses of such of the East Florida sufferers as might submit their claims for liquidation. For the benefit of those "proprietors" of the province who had already removed to the Bahama Islands, or other British colonies in America, the act provided that the Governor, Lieutenant-Governor, or Commander-in-Chief, and Council of such islands or colonies might act in place of the commissioners for East Florida, and that these officials should report their findings to the regular commissioners to be laid in turn before the Lords of the Treasury and the Secretaries of State. It was further provided that no claim should be received in Great Britain after January 1, 1787, or in the Bahama Islands or other colonies after March 1, of the same year. This act was to continue in force for two years after the time of its passage.³ Early in June of the next year, however, the same measure was re-enacted for an additional twelvemonth.⁴

In the meantime, the House of Commons adopted a resolution, May, 8, 1787, recommending the granting of a sum not to exceed £13,600 to be applied in payment "for present relief and on account" to persons who gave satisfactory proof of their

1. *The London Chronicle*, July 22-24, 1783.

2. *The Morning Chronicle and London Advertiser*, July 30, 1783.

3. *Public General Acts*, 26 Geo. III, cap. lxxv.

4. *Journals of the House of Commons*, XLIII, 519.

losses to the commissioners of investigation for East Florida, this sum to be paid in proportion not exceeding 40 per centum.¹ That this amount was wholly inadequate was demonstrated by the first report of the East Florida Claim Office, which was submitted to the House at the end of May, 1788. That report showed that the number of claims received thus far was two hundred and eighty-eight, the gross amount of these claims being £602,765, 1s. 7d. of these claims one hundred and seventy nine were estimated as amounting in gross to £488,682, 1s. 7d. The losses actually allowed by the commissioners cut this last sum down to £127,552, 14s. 3d.² As Parliament had provided for but £13,600 of this amount at its last session, the House of Commons recommended, June 9, 1788, an additional appropriation of £113,952, 14s. 3d.⁴ Later claims made necessary the voting of further sums, most of which were included in larger appropriations for groups of claimants not confined to those from East Florida. Such appropriations were made in 1789, 1792, 1793, 1794, 1795, 1796 (two), and 1798. Besides these grants "for American and East Florida sufferers" as they were designated, there was a special grant of £24,005, 12s. for East Florida claimants alone, enacted in June 1790,⁵ and another of £12,262, 19s. 9d. for those from the Mosquito Shore, voted in March, 1792.⁶

One of those who received compensation was Lieutenant-Colonel Thomas Brown, who had gone to the Bahamas, and was awarded the munificent sum of \$150,000 for his confiscated estates in Georgia and South Carolina.⁷ Another was General Robert Cunningham of South Carolina, who was at the time a resident of Nassau, New Providence.⁸ It is interesting to note that the commissioners of loyalists' claims sitting at Halifax reported at the end of September, 1786, that they had examined the cases of some few claimants of the Bahama Islands.⁹ That the claims made did not always look to compensation in money is illustrated by the memorial of John Ferdinand Dalziel Smyth,¹⁰ a Northern

1. *Journals of the House of Commons XLII*, 739.

2. *Ibid.*, *XLIII*, 519.

3. *Ibid.*, *XLIII*, 540.

4. *Annual Register* for the years named.

5. *Journal of the House of Commons, XLV*, 462, 543.

6. *Annual Register* for the year named.

7. Stark, *History and Guide of the Bahamas*, 87.

8. Sabine, *American Loyalists*, 1847, 236.

9. *Report of the Bureau of Archives, Ont., Pt. II*, 1363.

10. In the Library of Congress.

refugee, then in England, (January 1, 1784), who in view of the important services he insisted he had rendered early and late, the great risks he had run, the captivity he had endured, the regiment of one hundred and eighty-five men he had raised for the Queen's Rangers, and the immense estate he had lost, applied to the King in Council for a grant of one of the Bahamas, named Yametta or Long Island, which contained about 20,000 acres and was still unoccupied or unpossessed, according to his representations.

The appointment of commissioners to investigate the East Florida claims aroused to action those loyalists who had lived for a longer or shorter period in West Florida. Some of "the Planters, Merchants, Public Officers, and other late Proprietors" of that province, hastening to London, presented a petition to the House of Commons, March 16, 1787, in which they set forth their reasons for asking consideration, as follows: that many loyal inhabitants of that region had joined the King's troops, and others had formed themselves into provincial corps and had been employed in dangerous service; that some of the petitioners, who had sought safety in West Florida, were now excluded from that temporary support and compensation for losses that had been granted to many refugees who had dwelt in peace and security in Great Britain during the whole War; that they had suffered serious losses, and West Florida had been surrendered under stipulations that had proved ineffectual, insofar as the loyal inhabitants were concerned; that many of these inhabitants had been reduced from affluence to indigence, while some were in want of immediate support; that no discrimination ought to be made between East and West Florida, as both had been equally loyal and had been ceded to the enemy for the sake of peace; hence the petitioners had come to England and were asking for such relief as the House might deem proper. The House disposed of this petition, which was caustic in tone, by laying it upon the table, and nothing was heard of it afterwards.¹

However, as we have already seen, the claims of large numbers of other loyalists were paid in money on a liberal scale. Still others

1. *Journals of the House of Commons*, XLII, 551, 552.

received compensation in the form of appointments to offices of emolument and honor under the Crown. Various executive, judicial, and fiscal positions in the Bahamas, Lesser Antilles, and Bermudas were filled in this way. Thus, in 1781, William Browne of Salem, Massachusetts, then an exile in England, was appointed governor of Bermuda. Previous to the Revolution, Mr. Browne had been a man of note in his native province, having served as colonel of the Essex regiment, judge of the Supreme Court, and a mandamus counselor. It is said that the revolutionary committee of safety offered him the governorship on condition that he support the American cause; but the loyalist declined and retired to England. His administration as governor of Bermuda began January 4, 1782, his reception by the islanders being most cordial. He conducted the business of the colony successfully and in harmony with the local Legislature, greatly improved the finances, and left the island in a prosperous condition when he withdrew to the mother country in 1788.¹ Another Massachusetts man who held office in Bermuda was Daniel Leonard of Taunton. A member of the General Court, he was appointed a mandamus counselor in 1774, although he never served in that capacity. In 1776 he accompanied the British army to Halifax, and doubtless went thence to England. In recognition of his past services and sacrifices he was made chief justice of the Bermudas.²

In the Lesser Antilles, the Virgin Islands, St. Christopher's or St. Kitt's, and Antigua had loyalists among their officials. In Antigua the post of attorney to the Crown was held for some years by Samuel Quincy of Massachusetts. Like his fellow-colonials, Leonard and Browne, Quincy went to England after the evacuation of Boston, having previously been solicitor-general. He held the attorneyship of Antigua until his death in 1789.³ Another fugitive from Boston, Nathaniel Coffin, was appointed collector of customs in St. Christopher's, a station worth £1,500 per annum, and occupied by Mr. Coffin for thirty-four years.⁴ James Robertson, attorney-general of Georgia before 1779, and later a member of the House of Assembly and the Council in that province, went from New York to London in the fall of 1782,

1. Stark, *Bermuda Guide*, 1890, 51-54.

2. Sabine *American Loyalists*, 1847, 418.

3. *Ibid.*, 551.

4. *Ibid.*, 221; Winthrop Papers, XXIV, 151.

and about a year later was appointed chief justice of the Virgin Islands with a salary of £200 per annum.¹

Besides loyalist officials, a few others of this class went to some of the islands among the Lesser Antilles. Thus, in September, 1783, the family of Captain William Sutherland of the Queen's Rangers was living in Antigua;² and, at the evacuation of New York, John Cox of New Jersey betook himself to St. John's in the same island, whence he carried on trade among the West Indies.³ In 1786, another refugee from New Jersey, James Stockton, and his sister, were residents of the Bermudas.⁴ The petitions and memorials addressed by numerous individuals at New York to the commander-in-chief, Sir Guy Carleton, during 1782 and 1783, to be permitted—if not assisted—to depart for the archipelago, the name of the particular island being omitted in most instances, suggest that Dominica, Barbados, and other islands, in addition to those named above, received a few refugee settlers.⁵

In the Bahamas at least three loyalists held offices of more or less importance. One of these was William Wylly, whose connection with the so-called Wylly affair has been previously narrated.⁶ He had been a resident of Georgia, although he spent a considerable period in New Brunswick before going to the islands. In New Brunswick, Mr. Wylly served as the first Crown counsel and registrar of the court of vice-admiralty, but in 1787 he removed to the Bahamas with his family. In the following year, he was appointed solicitor-general and surrogate of the court of vice-admiralty. In 1804, he became advocate-general of the vice-admiralty court. By 1812, he was chief justice, and two years later exchanged with the attorney-general. In 1822, he was transferred to the chief justiceship of St. Vincent, one of the islands of the Windward group.⁷ Another refugee who served as chief justice of the Bahamas was Stephen De Lancey,

1. *Second Report, Bureau of Archives, Ont., Pt. II.* 1132, 1133.

2. *Report on Am. Mss. in the Roy. Inst. of G. Brit., IV*, 374.

3. *Second Report, Bureau of Archives, Ont., Pt. II*, 929.

4. *Ibid.*, Pt. I, III.

5. *Aute*, p. 15.

6. *Aute*, p. 31.

7. Lawrence, *Footprints*, 107.

formerly lieutenant-colonel of the first battalion of the New Jersey Volunteers.¹ William Hutchinson of Massachusetts also held an office in these islands.² Sabine thinks that Nathaniel Hall, collector of customs at Nassau, New Providence, who died in 1807, was likewise a member of a loyalist family.³

Jamaica furnishes at least one example of a loyalist office-holder albeit of inferior rank, in the person of Adam Dolmage, a former citizen of New York, who was appointed by the Governor on May 1, 1791, to act for twelve months as deputy registrar of the high court of chancery and clerk of the patents of this island, in place of William Ramsay, who was about to leave for England for the benefit of his health. Some years later, (that is, on January 7, 1815) Mr. Dolmage was appointed clerk of the Supreme Court, and about the same period served as clerk of the Surrey police court.⁴ Isaac Hunt of Philadelphia, after being carted through the streets of that city by a mob, departed for the West Indies, where he took church orders. Subsequently, he removed to England, and became tutor in the family of the Duke of Chandos. It may be added that he was the father of Leigh Hunt, one of the most eminent literary men of England in the first half of the nineteenth century.⁵

1. Sabine, *American Loyalists*, 1847, 255.

2. *Ibid.*, 378.

3. *Ibid.*, 342.

4. Record in possession of the author.

5. Sabine, *American Loyalists*, 374.

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from
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from

Penobscot to Passamaquoddy

(With Map)

By

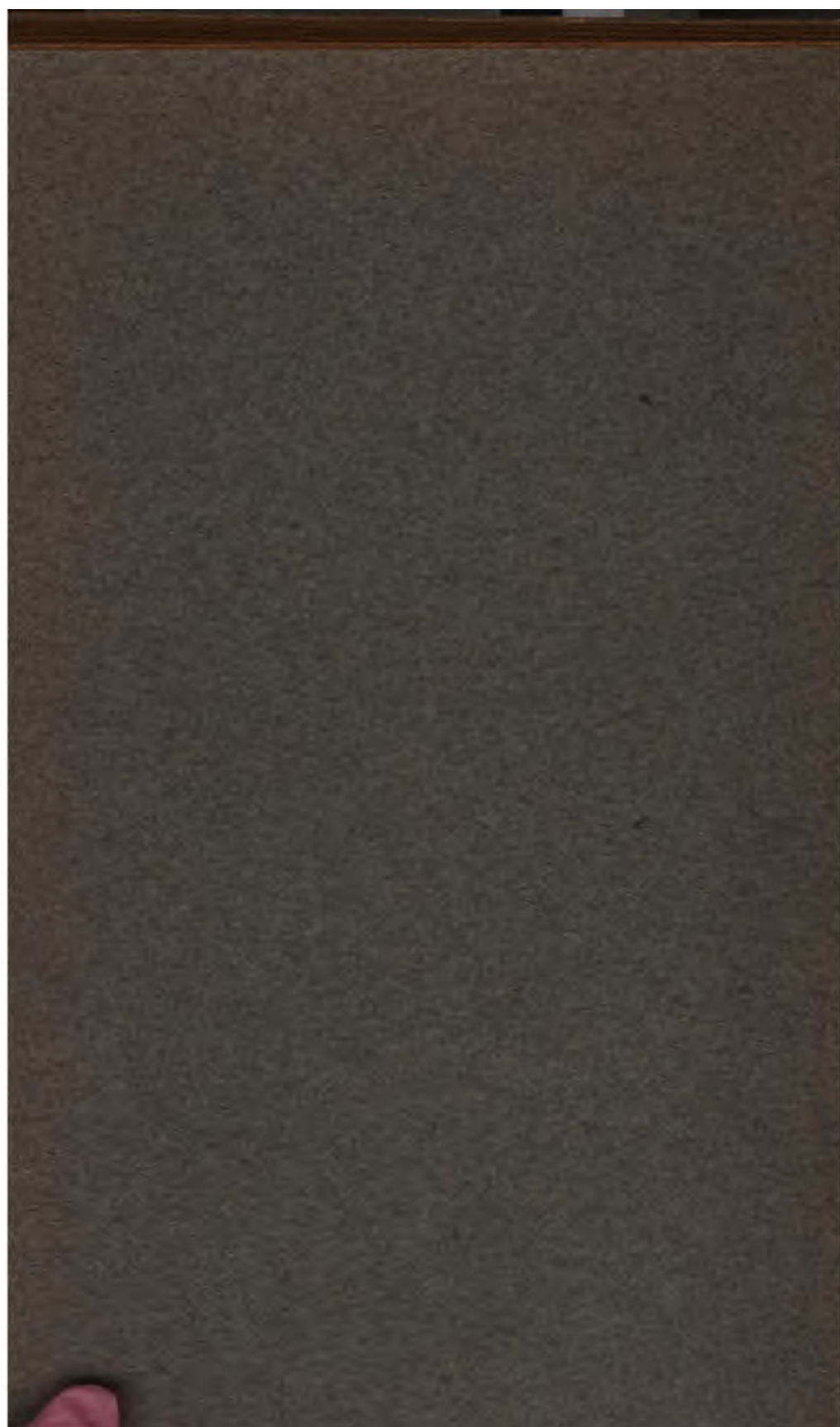
WILBUR H. SIEBERT, A. M.

Professor of European History

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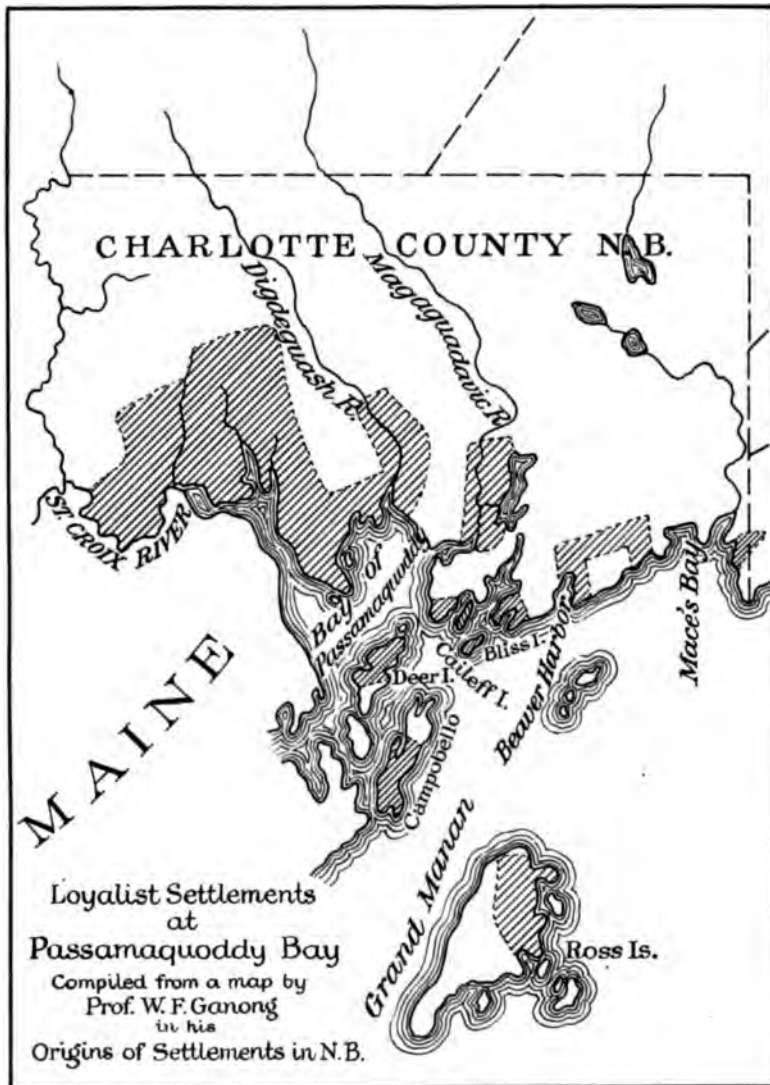
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The Exodus of the Loyalists from Penobscot to Passamaquoddy

In September, 1778, the British government ordered General Clinton at New York to secure post on the Penobscot River in Maine for the purpose of erecting a province to which loyal adherents of the Crown might repair.¹ An earlier post, Fort Pownall, which had occupied the bold, rocky promontory at Cape Jellison at the mouth of the Penobscot was no longer in existence, having been dismantled and burned by the militia under Colonel James Cargill in July, 1774. For eleven years previous to its destruction, the old colonial fort had been under the command of Colonel Thomas Goldthwait, who by his compliance with an order from General Gage permitted a detachment greatly outnumbering his own meagre garrison to carry off the cannon and spare arms of the fort, and thus incurred the censure of the Provincial Congress of Massachusetts Bay, the loss of his command, and virtual banishment. Colonel Goldthwait deserves a word of more extended notice on account of the important part he took in settling and developing the Penobscot Valley. While in command of Fort Pownall, he was appointed agent for a vast tract of land belonging to the Waldo heirs in that region. Later, in conjunction with Sir Francis Bernard, then governor of the province of Massachusetts Bay, he purchased a part of the Waldo Patent from General Jebediah Preble, and appears to have been chiefly instrumental in settling the Penobscot country with a population which he estimated at "more than 2,400 able men."²

Colonel Goldthwait did not participate in establishing the new post at Penobscot, but remained in retirement there or at Castine until July, 1779, when he went aboard one of the frigates of the British fleet that entered Penobscot Bay to lay siege to Bagaduce. Taking passage on this vessel for New York after

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, I, 284; *Dorchester Collection*, I, No. 7.

2. *Me. Hist. Magazine*, LX, 23, 188, 254, 258, 273, 363; X, 94, 96.

the success of the British expedition, he had the satisfaction of being borne to his destination by the ship that carried the good tidings to Clinton. It may be added that Mr. Goldthwait's stay in New York City lasted only from the early part of September to December 23, when he took his departure to England, there to remain during the rest of his life.¹

The project of planting a British force on the coast of Maine had long been cherished by William Knox, a Georgia loyalist, who was under-secretary in the Colonial Office in London. Knox argued that it would serve to distract the attention of the Americans from operations in other quarters, that as a military and naval base it would protect the country to the east from attacks by land and sea, and last, but not least, that it would form the center and bulwark for a new province for the friends of government, who were leaving the Colonies in ever increasing numbers, and were already flooding the home authorities with insistent claims for compensation.² Lord Germain, Knox's superior officer, was not easily convinced of the advantage of the project, but at length was brought around, giving what was evidently his own chief reason for its approval when he wrote to Governor Haldimand at Quebec, April 16, 1779, that if the Kennebec, or even the Penobscot, were secured, it would keep open direct communication between the Canadian capital and New York at all seasons, and so do away with the tediousness and delays in correspondence by way of Halifax. However, this explanation did not satisfy Haldimand, who still doubted the efficacy of the measure.³

Meanwhile, Knox was anticipating with evident zest the success of an expedition yet to move against the coast of Maine, by arranging the details of the province that was intended to reach from the Penobscot River to the St. Croix, and become the Canaan of the refugee loyalists. "Lying between New England and 'New Scotland' (Nova Scotia), it was to be christened New Ireland, perhaps," as Batchelder suggests in his illuminating study

1. *Me. Hist. Magazine*, X, 95, 96.

2. Batchelder, *John Nutting*, (Reprint from the Proceedings of the Cambridge Hist. Soc.) 74, 72.

3. *Can. Arch.*, 1885, 302, 327.

of the subject,¹ "in delicate reference to Knox's own nationality." With manifest appropriateness, all of the officials of the proposed province were to be loyalists of high repute, if not, in every case, of experience in administrative matters: thus, Thomas Hutchinson was to be governor, Daniel Leonard, chief justice, Dr. John Caleff, one of the leading tories of Penobscot, clerk of the council, and the Reverend Henry Caner, formerly of King's Chapel, Boston, bishop. Although Hutchinson was named as one of the beneficiaries of the scheme, he wrote from London that it was a "most preposterous measure," and that but few people there thought well of it.²

However, as the measure already had the necessary official approval, it only remained to decide where the post should be located, and send out the expedition to establish it. These were important matters, to be sure, and the advice that proved conclusive in regard to them came, strangely enough, from a carpenter of Cambridge, Massachusetts, who, having arrived in England in the fall of 1777, had succeeded in ingratiating himself with Under-Secretary Knox. This carpenter of surprising career was John Nutting, who rendered valuable service in his trade to the British in Boston before the evacuation, and in Halifax afterward. In the latter place, especially, he had found opportunity to display his Yankee resourcefulness and ability as "Master Carpenter and Superintendent of Mechanics," and, despite the lack of skilled workmen, had performed the feat of erecting within a limited time "no less than ten large block houses, each mounting sixteen guns." In England, by direct application to Lord North, he secured the appointment as overseer to the King's works at Landguard Fort in East Anglia. His isolation at this rather remote point on the coast of the North Sea did not prevent his visiting London occasionally, or keeping himself in the recollection and esteem of his patron of the Colonial Office. So it came about that he was called into consultation concerning the proposed expedition to the Maine coast. As Mr. Nutting had invested some years before in shore lots in what is now Castine, across Penobscot Bay and up the Bagaduce River, he must have

1. Batchelder, *John Nutting*, 74, 75.

2. Hutchinson, *Diary and Letters*, II, 218, 290, 291.

been aware of the natural strength and well-recognized strategic advantages of that locality. When, therefore, he suggested Penobscot as the best site for the new post, his quality of "uncommon Loyalty," for which he had received deserved commendation in Halifax, was not being sacrificed to his self-interest, although the happy blend of the two must have pleased him in no small degree. His suggestion was adopted by the King's ministers, and Nutting was ordered to London to carry Germain's despatches to Clinton at New York, and accordingly set sail early in September, 1778. A fortnight out, his vessel, the government mail packet *Harriet*, was overtaken by an American privateer, the *Vengeance*, and Nutting, rid of his despatches which he sunk in the sea, but wounded in four places as he later testified, was taken prisoner with the other people on his ship. In less than two months, however, the King's messenger was again in London, having had the good fortune to be exchanged.¹

Undaunted, Mr. Nutting undertook a second voyage in January of the next year, and after fourteen weeks on the ocean was able to hand detailed instructions to Clinton.² In compliance with these orders, the latter directed Brigadier General McLean at Halifax to carry into effect the plan of fortifying a post on Penobscot River, and instructed him to prepare materials for a respectable work capable of accommodating three hundred or four hundred men. McLean was unable to comply fully with Clinton's instructions concerning the troops to be taken, but he made such substitutions as were necessary, and set out on the expedition at the end of May, 1779. He was accompanied by four hundred and forty men of the 74th Regiment under Lieutenant Campbell, and two hundred of the 82nd under Major Craig, his convoy comprising four men-of-war under Captain Andrew Barkley and the flagship *Albany* under Captain Henry Mowatt. He also took with him stores for nine hundred men, which would be the total number when the engineers should be included. Nutting, who was to be employed as overseer of carpenters in building the fort, acted as pilot. On June 13, the expedition arrived at the mouth of the Penobscot, and after reconnoitering the river for

1. Batchelder, *John Nutting*, 71-77.

2. *Ibid.*, 77, 78.

several days, the troops were disembarked on the little neck of land which had been chosen for the fort. The most advantageous part of the peninsula being wooded, some time was spent in clearing it. There was also some difficulty in landing the provisions, which had to be rolled up a steep hill. These preliminaries were not completed until July 2, when the work on the fort began.¹

Contact with the local inhabitants disclosed the fact, as McLean wrote Clinton, that they "had been artfully led to believe that His Majesty's troops were accustomed to plunder and treat the Country where their operations led them with the greatest inhumanity." To remove that prejudice, the leaders of the expedition issued a proclamation extending clemency to all who would take the oath of allegiance. This procedure so far restored confidence that about five hundred persons subscribed to the oath in the limited time allowed, although McLean wrote that the number would have been considerably increased if he had been able to send to "some distant settlements the Inhabitants of which requested that indulgence from the impossibility of all attending the places appointed."² The testimony of Colonel John Allen, the American superintendent of Indians in the Eastern Department, is of a confirmatory character. In a letter written at Machias, Maine, July 16, 1779, he states that most of the inhabitants at Penobscot had submitted and taken the oath of allegiance to the King after the capture of that place by the English. But his condemnation is particularly reserved for those east of the Penobscot, who had gone a distance to acknowledge themselves British subjects, including most, if not all, of the people at Union River, Nashkeag, and Deer Island, and two or three at Frenchman's Bay, and Goldsborough.³ Dr. Caleff tells us that about a hundred of those who were well disposed showed their good will by coming in on July 19 with their captain, John Perkins, and helping three days to clear the ground in front of the fort.⁴

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, I, 440, 441, 458; Batchelder, *John Nutting*, 78; *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 14.

2. *Ibid.*, I, 458.

3. *St. Croix Courier series*, L.

4. Caleff, *Siege of Penobscot* (Ms. in Harv. University Library); Batchelder, *John Nutting*, 79; *St. Croix Courier series*, LI.

McLean explained that the attitude of the people to the east of Boston, who were in want and distress, seemed in general friendly, but that they were prevented from any marked demonstration by the threats of the enemy. Their open allegiance, he thought, could be won only when they should be furnished a force strong enough to afford them complete protection in their persons and property. However, he had to admit the existence of a division of sentiment among the inhabitants, remarking that "numbers of young men of the country had gone westward, and attempts have been made to raise the people, tho hitherto without success."¹ The force under McLean's command was certainly not large enough to inspire the remaining population with feelings of safety and reviving loyalty; but, small as it was, it was nevertheless reduced by the withdrawal of Captain Barkley with four of his warships in order to shield the coast of Nova Scotia against the threatening presence of nine American vessels, which had recently been sighted in the offing. Thus, only the *Albany* was left to stand guard at the mouth of the Penobscot, the solitary ship being in turn protected by a battery erected for that purpose.

The fort was not yet half completed when the American fleet "to the number of thirty-seven sail of all sizes," with 2,600 troops aboard, traversed Penobscot Bay, and laid siege to the place. On August 7, according to Caleff, the Americans scoured the country round for the loyal inhabitants, destroyed their movables, killed their cattle for meat, and, having captured a number of persons, imprisoned them aboard ship.² For three weeks, McLean and his men held out, relief from Halifax failing to put in an appearance. On the morning of August 14, a party reconnoitering without the fort discovered that the Americans had abandoned some works which they had constructed, in their attempt to avoid a clash with the King's fleet, under the command of Commodore Sir George Collier, which had opportunely arrived from New York. In desperation, the American fleet sailed up the Penobscot River, where the loyal inhabitants were released, and the shipping was set on fire, while the enemy's troops retreat-

1. *Report of the Am. Mss. in the Roy. Inst. of G. Brit.*, I, 460, 462.

2. *St. Croix Courier series*, LI.

ed in various directions without opposition.¹ Thus, Collier's coming resulted in the destruction of the Americans' vessels and the dispersal of their land forces.² Among the ships that went up in flames on the Penobscot flats was the privateer *Vengeance*, to which Mr. Nutting owed his capture when first he sailed from England with Germain's despatches for Clinton.³

No doubt some of the local inhabitants were recreant to their oath of allegiance. If so, McLean excused it on the score that they had been compelled to join the enemy; but he insisted that most of them had been employed in working for the Americans, "tho," he added, "some of them were in arms." Learning that a number of these people had withdrawn from their habitations with the intention of going to the westward, on account of the fear of the resentment of the British, McLean issued a new proclamation in order to reassure them and "prevent the breaking up of the settlement."⁴ Collier, however, was more severe in his judgment of the recent conduct of the inhabitants. In a letter to Clinton, he denounced them as rebels who took an oath to the King one day and another to the Congress the next, and asserted that all had "assisted the rebels in everything they could during the siege."⁵ It would seem, however, that the denunciation of Commodore Collier was too sweeping in its character. It could scarcely have been the case that those who placed themselves under the protection of the British post, and whose need of supplies was causing a shortage of provisions, had been guilty of the sort of double dealing charged against all the inhabitants by the prejudiced Commodore.⁶ Moreover, Colonel Thomas Goldthwait, who had settled a large number of people in the Penobscot region, wrote to Clinton, October 2, 1779, urging the continued importance of the post to the Crown: "If the present arrangement of his Majesty's troops won't permit of a reinforcement there, at this time," says the refugee's letter, "I myself will undertake to raise

1. *St. Croix Courier*, series L. I.

2. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 15, 16; *Collects. Me. Hist. Soc., Series II, V. 1*, 391, 392.

3. Batchelder, *John Nutting*, 80.

4. *Report of the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 17.

5. *Ibid.*

6. *Ibid.*, 66.

a Battalion out of the militia of that country, which notwithstanding their seeming delinquency in their late unhappy situation, I'll pledge myself for it, that they will make as good subjects as any the King has got. 'Twas I, principally, yt settled them in that country; I commanded them, and I fully know their principles, and have estate enough to carry into execution what I propose.''¹

Even while the loyalty of these people was being thus favorably or unfavorably commented upon, many friends of government were removing to this haven of refuge. McLean, who returned to Halifax at the close of November, 1779, wrote to Clinton from that place that a considerable number of inhabitants had taken refuge on the peninsula, that their distressed situation rendered it necessary that they be supplied with provisions from the King's stores, and that he proposed sending a further supply by the *Albany* to complete their stock to the end of May.² Besides the people who were coming in from the immediate neighborhood, others were arriving from localities farther removed both in Maine and Massachusetts. One such party came from Falmouth under the guidance of a tory named Baum, who was afterwards captured by the Americans, tried by a court-martial presided over by Major Burton, condemned to death, and executed by order of General Wadsworth. It was in revenge for this execution that Wadsworth and Burton were captured by a detachment from Penobscot, and imprisoned there until they made their escape, June 15, 1781.³ Among the loyalists from Falmouth who early sought protection at the post were Captain Jeremiah Pote and his two sons-in-law, Robert Pagan and Thomas Wyer.⁴ Pagan did not go directly to Penobscot, but in February, 1776, sailed with his family for Barbadoes. On his return, he settled in the growing Penobscot colony, where, with two brothers, he purchased dwelling houses from Lieutenant Colonel Campbell in 1781.⁵ Moses Gerrish of Newbury, Massachusetts, who was a

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 20, 45.

2. *Ibid.*, 66.

3. *Report of the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 258; Sabine, *Am. Loyalists*, 1847, 148, 626.

4. *Acadiensis*, July, 1903, 175.

5. *Ibid.*, July, 1907, 223; *Sec. Rep., Bureau of Archives, Ont., Pt. I*, 304 307; Sabine, *Am. Loyalists*, 502.

graduate of Harvard College, and was stationed at Penobscot as an officer in the commissary department, remained there until the post was evacuated by the British forces.¹ Colin Campbell, another loyalist, acted as assistant commissary.² The garrison found its surgeon, and for a while its chaplain, in Dr. John Caleff, a former resident of Ipswich, who had served as a member of the Massachusetts legislature, but had sought shelter at the post before the siege.³ For a season, Caleff was also employed as inspector at Penobscot. On his departure for England in May, 1780, he was succeeded in this position by Robert Pagan.⁴ John Jones of Pownalborough (now Dresden), Maine, escaped from Boston jail, and arrived at Quebec at the close of August, 1779. There he joined Colonel Rogers' regiment, receiving a commission as captain, and was sent to Penobscot. From that point he engaged in forays against the Americans at the head of a company known as "Jones' Rangers." His swarthy complexion gained for him the nickname of "Black Jones."⁵ Simeon Baxter, the superintendent of hospital stores in Boston, was another of those whose loyalty was too active to be tolerated by the revolutionists. He was, therefore, condemned to be incarcerated in the jail at Worcester, but breaking away, he did not regard himself as beyond the reach of danger until he had gained the shelter of Fort George.⁶ John Long, a native of Nantucket, also resorted thither probably as early as the year 1779. In his new retreat he made himself useful by securing intelligence for Captain Mowatt, but fell into the hands of the enemy. However, he succeeded in making his escape, and during the remainder of the war commanded a privateer belonging to the Pagan brothers.⁷ Another Massachusetts tory who joined the contingent at Penobscot in 1779 was James Symons of Union River. Like most of the other refugees who settled within the shadow of the post, he remained there until

1. *Coll. N. B. Hist. Soc.*, I, No 3, 355; *Acadiensis*, July 1906, 170.
2. *Report on the Am. Mss. in the Roy. inst. of G. Brit.*, III, 122, 132; *Acadiensis*, July, 1907, 277-279.
3. *Coll. Mc. Hist. Soc.*, Series II, Vol. I, 392.
4. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, III, 229.
5. *Acadiensis*, July, 1907, 276.
6. Audit Office Claims, XII, 44: (in the Public Record Office, London.)
7. *Sec. Report, Bur. of Archives, Ont.*, Pt. I, 315-317.

the peace.¹ Meantime, Nutting was serving as overseer of the works with such satisfaction to Colonel Campbell, who was then in command of the fort, that the latter "in consideration of his Attachment to His Majesty's Government," made at "Gratuitous Grant" to Mrs. Nutting of "a lot of land to settle upon . . . on the N. E. side of y Road Leading to Fort George, formerly the Property of Joseph Pirkins now in Rebbelion." Upon this lot the overseer built him a house, which he valued at £150.² Thus, a population of loyalists was gathering within the boundaries of the proposed province of New Ireland.

This development may have had something to do with Nutting's departure for England in the spring of 1780, by the particular advice and recommendation of General McLean. At any rate, soon after his arrival in London, Nutting announced that he had laid a plan before Lord George Germain which, if put into execution, would prove "of the greatest Utility to Government." The concerns of the prospective province were certainly receiving a great deal of attention at this time among the loyalists at Penobscot, for, in May of the year named above, they sent Dr. Caleff to England to do what he could toward getting the British authorities to fix upon the River Penobscot as the dividing line between themselves and the United States.³

While the object of Mr. Nutting's journey is less clear by reason of the lack of documentary proofs, the fact that he now crossed the ocean at what was virtually the request of McLean, to whom had been entrusted the first step towards erecting a loyalist province in eastern Maine, suggests strongly that the present mission of the Overseer of Works was in connection with the carrying into effect of the second and principal part of the programme, namely, the establishment of the province itself. It was certainly more than a mere coincidence that the whole New Ireland scheme received a fresh impetus soon after Nutting's arrival in London. On August 7, 1780, Germain wrote to Knox expressing the hope that New Ireland still employed his thoughts,

1. *Sec. Report, Bur. of Archives, Out., Pt. I*, 323, 324.

2. Batchelder, *John Nutting*, 82.

3. *Ibid.*, Batchelder, *John Nutting*, 82, 86; *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, II, 118, 420; III, 229; Ganong, *Evol. of the Boundaries of N. B.*, 260; Raymond, *Winslow Papers*, 256.

that he was more and more inclined to prefer Oliver (the ex-chief justice of Massachusetts Bay) for the governorship, and that he wished they might "prepare some plan for the consideration of the Cabinet." No sooner said than done, the plan was produced with astonishing promptness. Its form was that of a constitution for the new province, concerning which Germain wrote on August 11th: "*The King approves the plan*—likes Oliver for Governor, so it may be offered him. He approves Leonard for Chief Justice."¹

The instrument, thus approved, placed the province absolutely under the control of the British Parliament. On acquiring land, whether by inheritance, purchase, or grant from the Crown, every landlord had to declare his allegiance to the King in his Parliament. There was to be, of course, a governor and a council, but no elective assembly for the time being. This omission was obviously intended as a means of forestalling any disposition of the people to republicanism. There was, however, to be a middle branch of the legislature, of which the members were to be appointed by the Crown for life, but also subject to suspension or removal by royal authority. These legislators might have conferred upon them titles, emoluments, or both. The traditions of aristocracy were to be further secured by the granting of land in large tracts, thus providing at once for great landlords and a tenantry. The Church of England was to be the established church, and the governor, the highest judge in the ecclesiastical court, with the additional function of filling all benefices. The power of ordination was to be vested in a vicar-general, the way being thus opened for a bishop. The establishment of schools was left wholly unprovided for.² Such was the constitution of New Ireland, the purpose of which, according to that thorough-going loyalist, the Reverend William Walter, was by its "liberality" to show to the American Provinces "the great advantages of being a portion of the Empire and living under the protection of the British Government."³ That these advantages remained untested insofar as New Ireland was concerned was primarily due to

1. Batchelder, *John Nutting*, 86, 87.

2. *Coll. Me. Hist. Soc., Series 11, Vol. I*, 395, 396; Bancroft, *Hist. of the U. S.*, X, 368.

3. Raymond, *Hist. of the River St. John*, 291.

Attorney General Wedderburn, who held that the territorial possessions of Massachusetts extended to the western boundary of Nova Scotia, and that the charters of both provinces precluded a new one from being interposed between them.¹

Although this opinion prevailed, the plan does not seem to have been abandoned by its originators, for in the winter of 1781 Germain "urged upon Clinton the ministry's favorite scheme for the disposition of the throngs of Tories at New York: 'Many are desirous of being settled in the country about Penobscot and, as it is proposed to settle that country, and this appears to be a cheap method of disposing of these loyalists, it is wished you would encourage them to go there under the protection of the Associated Refugees, and assure them that a civil government will follow them in due time; for I hope, in the course of the summer, the admiral and you will be able to spare a force sufficient to effect an establishment at Casco Bay, and reduce that country to the King's obedience.'"²

Massachusetts, of course, wanted "the viperine nest at Penobscot" suppressed, and appealed feelingly from time to time to the French and to Washington to strike the decisive blow. In truth, her authority had been so far encroached upon by the enemy that she was no longer able to collect taxes or contributions from any place to the eastward of their stronghold. The garrison there was ever on the alert, and improved the defences of the post until it was declared by the Commander-in-chief of the Continental forces to be "the most regularly constructed and best finished of any in America." These excellent ramparts sheltered a throng of loyalists and their families, while nearby a refugee settlement grew up, which by the end of the war consisted of thirty-five houses (a few of two stories), supplemented by the barest utilities in the form of three wharves and two stores.³

It remained to be seen whether this outpost of loyalism would survive the undercurrents of diplomacy during the nego-

1. *Coll. Me. Hist. Soc., Series II, Vol. I*, 396; Batchelder, *John Nutting*, 87.

2. Batchelder, *John Nutting*, 86.

3. *Ibid.*, 84; Sabine, *Am. Loyalists*, 10; *Mass. Archives, V.* 145, 377; *Coll. Me. Hist. Soc., Series II, Vol. I*, 400.

tiations for peace, as it had weathered the storms of war. If so, it might still become the capital of a real province of New Ireland, and by the favor of the authorities secure a population of some thousands out of hand from among the swarms of loyalists that had been gathering for years at New York. In the conferences of the peace commissioners England contended that the frontier of Massachusetts extended no farther than Penobscot Bay: she gave it out that she wanted the territory to the eastward "for masts." But John Adams, who was a member of the board of treaty commissioners, was a Massachusetts man, and was thoroughly conversant with conditions at Penobscot. He pertinently remarked to Count Vergennes, while the contention was in progress,¹ that "it was not masts, but Tories, that again made the difficulty," and that "Some of them claimed lands in that territory, and others hoped for grants there," not forgetting to add that "the grant of Nova Scotia by James I to Sir William Alexander, bounued it on the St. Croix." Adams was no less positive when face to face with the English commissioner, Mr. Oswald, and told him plainly that he "must lend all his thoughts to convince and persuade his court to give up" the disputed region, else "the whole negotiations would be broken off."² The unyielding character of the man from Massachusetts was confirmed by Lord Shelburne, who was constrained to report to the House of Lords that he "had but the alternative either to accept the terms proposed or to continue the war."³ Mr. Secretary Knox, in the bitterness of his personal disappointment over the final collapse of his budding province, gratified his own animosities by alleging that Penobscot would never have been evacuated at all had it not been for the jealousy of Wedderburn and the ignorance of Shelburne.⁴

The provisional articles of peace were agreed to at the end of November, 1782. It was not until the middle of the following June that Carleton wrote to Governor Parr, of Nova Scotia, that two ships had been sent to Penobscot to remove such persons as

1. November 10, 1782.

2. Adams, *Diary*, under the dates Nov. 10, and 18; *Coll. Me. Hist. Soc. Series II*, Vol. I, 396, 397.

3. *Coll. Me. Hist. Soc., Series II*, Vol. I, 397.

4. Batchelder, *John Nutting*, 94.

should choose to go to his province.¹ Three weeks later, it was reported that some people of Machias, Maine, had "moved to Passamaquoddy and possessed themselves of lands between the river St. Croix and the River Scoodie [Scoodiac]."² About the middle of August, Parr wrote to Brigadier General Fox at Halifax concerning the rumored encroachments east of the St. Croix, encroachments made, he said, under pretense that the lands between that river and the Scoodiac belonged to Massachusetts. He informed General Fox that the invaded lands were "intended chiefly for the immediate settlement of part of the Provincial disbanded troops and one hundred and fifty refugee families from Penobscot," and therefore suggested that an armed detachment be sent there to protect the boundary.³ Thus, before the definitive treaty of peace was signed, (September 3, 1783), a new boundary dispute had emerged, in which the luckless Penobscot loyalists were involved as before. This their agents discovered when they arrived at Passamaquoddy at the close of August, for they were there greeted by a letter from the authorities at Boston, warning them not to form a settlement in the disputed region. The agents communicated this news to Parr, with the further information that the transports intended to convey their people to Passamaquoddy had already arrived at Penobscot, news suggesting that the loyalists would soon be at their destination and take possession.⁴

Meantime, Robert Morse, the chief engineer, had received instructions to proceed to Passamaquoddy and report on the situation there. He soon learned of the alleged encroachments, and wrote to Carleton, August 15, 1783, of the difficulties that might arise about the boundary river, explaining that the name St. Croix had been indiscriminately applied to the three rivers which empty into Passamaquoddy Bay, and that while the westernmost had been the old boundary between Maine and Nova Scotia, the middle and by far the most important one was meant for the new boundary, thus opening the way for dispute.⁵ Early in September,

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit.*, IV, 276.

2. *Ibid.*, 210.

3. *Ibid.*

4. *Ibid.*

5. *Ibid.*, 280.

Morse reached Passamaquoddy, in time, as he explained to Carleton, "to point out to the surveyors employed in laying out different towns, and the lands adjoining, such spots as appeared . . . proper to be reserved for the use of Government, and future protection of the country."¹ He was detained there eight days before he was able to sail for St. John's River. On November 1, he again wrote the Commander-in-chief at New York to say that the town laid out for the people from Penobscot was "on St. Andrew's point—their lands extending up the east side of the River Scodiac." This position he conceived to be "totally out of dispute," and though it was contested, as we shall see later, the country to the east of the Scodiac was adjudged to be part of Nova Scotia and the settlers remained in possession. Morse was equally correct in asserting that the stream called the St. Croix by the Massachusetts people and alleged by them to be the true boundary was in fact the "Majiggaducey" (Magaguadavic), which he declared to be "quite out of the question." Hence, he urged that an early explanation should be required of the authorities of Massachusetts, "lest the unfortunate people from Penobscot should be again disturbed, or before any military force is sent there." He added that a British man-of-war was already under orders to proceed to Passamaquoddy.²

At Penobscot the loyalists had formed an association with Captain Jeremiah Pote, Robert Pagen, and a third member, whose name is unknown, as agents to complete arrangements for the removal to Passamaquoddy. Many of the associators had already gone (about October 1) to the location chosen for their new settlement to erect houses,³ and had evidently been there about three weeks when Colonel John Allan, the agent of the Massachusetts authorities, arrived on the scene, only to find the surveyors exploring the rivers and preparing to lay out townships, while a number of settlers were already in possession of St. Andrew's Point. He remonstrated with the surveyors, and, discovering one of them, Zebedee Jerry, of Freetown, to be a proscribed refugee, "cautioned him from appearing on any lands of the

2. *Report on the Am. Mss. in the Roy. Ins. of G. Brit. II*, 280.

1. *Ibid.* 442.

3. *The London Chronicle*, May 8, 1784; *St. Croix Courier series*, L.XVIA.

United States in future, as he certainly would be made a prisoner," and at the same time directed the Indians "not to suffer any British subjects to pass on the river Passamaquoddy on such business until further orders." In obedience to their instructions, the Indians soon after took captive the loyalist, Captain (John) Jones, of Kennebec, whom they found marking trees on the river. Jones was placed on parole, but had no compunctions about making his escape at the earliest opportunity.¹

Allan was further disturbed by the arrival on October 3 of two large transports and several smaller vessels bringing forty families from Bagaduce. The ships were warned not to land their passengers, but nevertheless did so a few days later. On the 17th of October, Allan visited the refugees and pointed out to them what he considered to be their precarious situation at St. Andrew's. In reply, they disclaimed any intention of encroaching upon American soil, reminding him that they had been landed where they were by the King's transports, and praying that they might not be molested until spring, as they were poor and the season was already far advanced. The deputy surveyor of Nova Scotia, Captain Charles Morris, Jr., was on the ground, and when called upon after a few days' interval by Allan, explained courteously that he was merely following out positive instructions in laying out the lands for the new settlers, and freely showed the charts in his possession, namely, those of Holland and DesBarres, in which, as Allan remarked, "the westerly branch of Passamaquoddy called Cobscook is set down as the River St. Croix." Soon more families disembarked, and Allan notes that vessels were daily arriving with supplies, that a number of houses were already built, as well as a large store for government provisions, and that valuable timber was being constantly cut and shipped. His letter went on to say—on good authority, as he asserted—that the British intended to claim all the timber lands on Passamaquoddy Bay as part of Nova Scotia, and that a company of wealthy persons under the management of one Pagan, formerly of Casco Bay, and others, was ready to go into the lumber business, having sufficient influence with the government to obtain

1. *Report on the Am. Mss. in the Roy. Inst. of G. Brit., IV.*, 372-374; *St. Croix Courier series, L. V. XIX, L. XX.*

settlers enough, including disbanded soldiers, to keep possession of the Passamaquoddy region. To prevent this, Allan advocated immediate steps "to remove those settlers from St. Andrews."¹

However, the new settlement appears to have entertained greater fear of the Indians than of the Americans during the first winter, for Captain (Samuel) Osborne thought it necessary to patrol the bay in the frigate *Ariadne* throughout that season to ward off the red men. By January, 1784, there were sixty or more houses at St. Andrews, and in February Governor Parr established a court there for the District of Passamaquoddy. In March a part of the Penobscot garrison, the 74th or Argyle Highlanders, arrived at St. Andrews, while others, it is said, landed at L'Etang (St. George's Town) to await, like the loyalists, the location of their lands. The main body of the Highland regiment had sailed for England more than two months before. By the first days of May, there were ninety houses in St. Andrews, and a letter of that time, still extant, reports "great preparations making in every quarter of the town for more." The letter continues: "Numbers of inhabitants are daily arriving, and a great many others are hourly looked for from different quarters." The writer, William Pagan, had already explored part of the land laid out for the Associated Loyalists from Penobscot, namely, the region round Oak Point Bay and up the Scoodic River. He found it to be of good soil and abounding "with large quantities of hard wood, [and] all kinds of pine timber of a large growth" conveniently located for transportation by water. He remarked that two sawmills had already been erected on the Scoodic, and that he had seen good sites for others. He was convinced that Passamaquoddy Bay could supply the British West Indies with "every species of lumber that could be shipped from any part of New England, except oak staves."² What was actually being accomplished in the shipment of lumber by the people of St. Andrews appears in a communication of somewhat later date (May 26), signed by Robert Pagan and others, in which it is stated that a number of cargoes

1. Letter of John Allan of Dec. 15, 1783, to Gov. John Hancock, quoted in the *St. Croix Courier series*. LXXIX.

2. Letter of Wm. Pagan to Dr. Wm. Paine, May 2, 1784, printed in *Acadiensis*, July, 1907, 210-112.

had already been sent to the West Indies and to various parts of Nova Scotia.¹ By the end of December, St. Andrews had expanded to a village of between two hundred and three hundred houses, and other settlements were making rapid headway. General Rufus Putman, who visited Passamaquoddy at the time mentioned, reported that "a town at present called Schoodick, near the head of navigation has one hundred houses; besides which there is a township at the head of Oak Bay, granted to a company of associates at the head of which there is a Mr. Norwood from Cape Ann; another township west of this is surveyed for a company from Connecticut, and these companies obtain the same supplies of provisions as the refugees do."²

The plan of St. Andrews, which was completed perhaps early in 1784, provided for six parallel streets running from northwest to southeast and thirteen streets cutting them at right angles, thus forming sixty square blocks, besides twelve blocks on the southwest side of the town more or less indented by the irregularities of St. Andrews Harbor. Each block was divided into eight lots. On August 12, this town plot was granted to "William Gammon and 429 others," several of the grantees receiving more than one lot. Some of the earliest houses erected in the town had been set up originally at Penobscot, only to be taken down for removal at the evacuation. Among these are the St. Andrews Coffee House still standing at the foot of William Street, the store and the home once owned by Robert Pagan, and houses built by Robert Garnett and Captain Jeremiah Pote. The first two-story building to be erected in St. Andrews was owned and occupied by John Dunn, who brought the frame and materials from New York in 1784, the year in which the other structures were also set up.³ Many of the refugee families were loth to leave behind their coats of arms and their treasures in mahogany and silver. These cherished possessions still remain in some old homes at St. Andrews,⁴ and doubtless at other places on Passamaquoddy Bay. By 1788, if we may credit the statements in an old manuscript, the population of St. Andrews

1. *Acadiensis*, July, 1907, 213.

2. *St. Croix Courier series*, CXVI.

3. *Acadiensis*, July, 1907, 231, 214, 222, 226 228, 225; July, 1903, 160.

4. *Ibid.*, July 1903, 161.

and vicinity had increased to more than three thousand, while the town itself now numbered about six hundred houses.¹ At this time, and for some years afterwards, the place rivaled St. John, New Brunswick, in commercial importance.²

Ever since the settlement of St Andrews, religious services had been conducted by the civil magistrate, who acted as lay reader on Sundays. In November, 1785, the Reverend Samuel Cooke, of Shrewsbury, New Jersey, who had recently removed to St. John where he had been appointed missionary, visited Campobello, St. Andrews, and Digdeguash. At these places he read prayers, preached, and performed baptisms, and then returned to his own parish. In the following year, the Reverend Samuel Andrews, a graduate of Yale College, who had been rector of St. Paul's Church in Wallingford, Connecticut, came to minister at St. Andrews. He found there "a considerable body of people of different national extraction, living in great harmony and peace, punctual in attending Divine Service, and behaving with propriety and devotion." Sent as a missionary by the Society in London for the Propagation of the Gospel, "Parson" Andrews proved to be a man of broad and liberal spirit without any sacerdotal pretensions. This was fortunate, for the majority of the people of his new parish were Scotch Presbyterians. Nevertheless, he won the favor of all, his congregation comprising all the Protestant elements represented in the town. The first vestry meeting was held August 2, 1786. In the following April, Mr. Andrews was temporarily incapacitated for his work by a paralytic stroke; and his son, Samuel F. Andrews, was appointed school master and catechist, being thus able to relieve his father of part of his duty. The missionary's illness did not prevent the taking of prompt measures to erect a church edifice, which was accomplished in 1788, although the structure was not completed until September, 1790. It was called All Saints' Church and measured fifty-two feet in length by forty in width, the expense being met partly out of a fund contributed by the parish, but chiefly out of a government allowance. The church had a bell presented by Mr. John MacMaster, a merchant in London,

1. Raymond, *Winslow Papers*, 354.

2. *Acadiensis*, July, 1903, 158.

and was decorated with the royal coat of arms which the missionary had himself brought from Connecticut.¹ Owing to the fact that most of the inhabitants of St. Andrews professed the Presbyterian faith, the number of communicants remained small, but baptisms, especially of children, were frequent. Besides All Saints' Church, another memorial of the first rector is to be found in "Minister's Island," which had been granted under the name of Chamcook to Captain Samuel Osborne, but was sold by him to Mr. Andrews in March, 1791, Captain Osborne having removed to London, England. On this island, overlooking St. Andrews, the rector built his house and passed the remainder of his life.²

Some years after purchasing Chamcook, the genial clergyman gathered about him a little group of the most notable loyalists in the town in an organization known as "The Friendly Society." Its members held weekly meetings, at which they discussed questions of religion, morality, law, medicine, geography, and history, besides contributions of importance in newspapers and magazines. By an article of their constitution, they limited themselves to "spirits and water" as the only refreshments permitted in time of meeting. Their philanthropy was manifest in their purpose to exert their influence in suppressing immorality in the community of which they were the leaders. It should be added that during the summer of 1800 three members of this society, namely, Dr. Caleff, Colonel Wyer, and Henry B. Brown, together with Mrs. Robert Pagan, rendered heroic service in combatting an epidemic of smallpox that swept St. Andrews and vicinity. Of the five hundred and more cases that developed, only three were lost. The society flourished during the lifetime of its founder, that is, for thirteen years, and then died.³

Aside from the town plot of St. Andrews, the Old Settlers' Reserve at Scoodic Falls, (now the town plot of St. Stephen), the Indian Reserve, (now Milltown), and a few scattered lots reserved for public use, six tracts of shore and river lots were

1. This coat of arms now hangs over the main entrance of All Saints' Church in St. Andrews, the second structure of that name.

2. *New Haven Hist. Soc. Papers*, VII, 324, 325; Lee, *First Fifty Years of the Church of England in the Province of N. B.*, 32-35, 82-84; Eaton, *The Church in Nova Scotia*, 150-152, 158; *Acadiensis*, July, 1903, 193; July, 1907, 236, 238.

3. *Acadiensis*, July, 1907, 187-192; Raymond, *Winslow papers*, 455.

granted to the Penobscot Associated Loyalists in 1784. These tracts extend from Bocabec on the inner bay of Passamaquoddy to Sprague's Falls on the St. Croix, and include two ranges of lots on Mohannes Stream. They form the greater part of the water front of the present parishes of St. Patrick, St. Andrews, St. Croix, St. David, Dufferin, and St. Stephen, and extend over nearly half the length of Charlotte County.¹ In this region, the associators formed their settlements, among which were Bocabec, Dufferin, Moannes, St. Croix, and St. David. St. Croix was first settled along the river of the same name and the Waweig, while St. David sprang up at the head of Oak Bay, all around which extended settlements of the Penobscot loyalists. The village of Chamcook, which arose from the expansion of neighboring colonies, was of somewhat later origin.² Another loyalist village, whose inhabitants came in large part from Penobscot, was St. George's Town. It was laid out on the western side of the little peninsula in L'Etang Harbor, facing the island now known as Fry's Island. Its original grantees numbered one hundred and fifty-three persons, who received their lots under date of November 1, 1784. In all perhaps two hundred families settled here, many of the townsmen being disbanded soldiers of the Royal Fencible Americans and probably of the 84th Regiment. Of these men Captain Peter Clinch wrote a dismal account to the Provincial Secretary in February, 1785, charging them with general worthlessness, due to the introduction of rum into the community through the agency of Captain Philip Bailey. Clinch also charged Bailey with exploiting the inhabitants for his own benefit. However, even Clinch admitted that there were many settlers in the town against whom no reasonable objection could be raised.³ In 1799, a forest fire destroyed the village, and it had never been rebuilt.⁴

In addition to the settlements formed by the Penobscot Associated Loyalists, there was a number of settlements established in the Passamaquoddy District in the same period by loyalists from localities other than Penobscot. Among these were the

1. *Acadiensis*, July, 1903, 172.

2. Ganong, *Origins of Settlements in N. B.*, 118, 123, 128, 156, 167.

3. *Acadiensis*, July, 1907, 250-260.

4. *St. Croix Courier series*, LXXVI.

town of St. Stephen and the Old Ridge, a colony on the Digdeguash above its mouth, another on the Magaguadavic to the Second Falls, Pennfield, and farther east along the coast Lepreau, Mace's Bay, Seeley's Cove, Dipper Harbor, Chance Harbor, and Musquash. The town of St. Stephen at the head of navigation on the St. Croix, together with the country north of the town, including the Old Ridge, was settled by the Port Matoon (Mouton) Association of loyalists and disbanded soldiers of the British Legion. This association took its name from the village it had founded late in 1783 in Queen's County, Nova Scotia. When the snow disappeared in the following spring, the locality was found to be rocky and sterile. Hardly had this discovery been made when an accidental fire consumed the town, and compelled the immediate removal of the inhabitants. Of these, the majority betook themselves to Chedabucto Bay in the eastern part of Nova Scotia, while the rest decided to accompany Captain Nehemiah Marks to Passamaquoddy. Captain Marks was a refugee from Derby, Connecticut, had served as a captain in the corps of Armed Boatmen and later as lieutenant in the Maryland Loyalists. His party landed where the town of St. Stephen now stands, May 26, 1784, hoisted the British flag, and called the place Morristown, a name it continued to bear for several years. In the following September, 19,850 acres on the Scoodic or St. Croix River were distributed among the members of the association, one hundred and twenty-one in number, while garden lots in Morristown were bestowed upon John Dunbar and one hundred and five others. Captain John Jones, who had first come to Passamaquoddy as a surveyor for the loyalists, was one of the recipients of a farm lot. Among the grantees of the town are found the names of many members of the Penobscot Association, who also held grants in St. Andrews, besides of some who were favored with lots both in St. Andrews and St. George's Town. It is no doubt true that a number of the grantees of St. Stephen abandoned their lands or sold them for a nominal sum; but many others remained, and numerous farms along the Old Ridge are still held by their descendants. Captain Marks became a grantee of both St. Andrews and St. Stephen, and was one of the first justices of the peace in Charlotte County. He died in St. Stephen in July, 1799, having lived long enough to see the community he had planted in the

wilderness making substantial progress. By 1803, the parish as a whole had a population of nearly seven hundred. It boasted seven sawmills, or almost half the number to be found in the entire Passamaquoddy District, and was turning out annually 4,000,000 feet of boards, or more than all the other mills together.¹

The settlements formed by loyalists who had not come from Penobscot were assigned locations on the east side of Passamaquoddy Bay. Thus, John Curry and forty-two others received 15,250 acres on the Digdeguash in the Parish of St. Patrick, at the end of March, 1784. At the same time, a grant of 2,000 acres was issued to Colin Campbell. Lieutenants Thomas Fitzsimmons and Colin McNab, who were assigned 1,000 acres in the same region, permitted their grant to escheat to the government.²

Two tracts, one on the east side of the lower Magaguadavic, and the other on the L'Etang with its western shoreline on Passamaquoddy Bay, were granted to a score of loyalists, of whom Dr. William Paine of Worcester, Massachusetts, was the most notable. A refugee in Halifax after the evacuation of Boston, Dr. Paine had brought his party to Passamaquoddy late in 1783, but did not obtain the grants, which together amounted to 5,500 acres, until some three or four months later. Of the tract on the Magaguadavic, the Worcester loyalist received 1,000 acres. In addition, he was given the Island of La Tete in recognition of his services in Rhode Island and New York as apothecary to the British forces and at Halifax as physician to the King's hospitals. With his family, Dr. Paine took possession of La Tete in the summer of 1784, but within a twelvemonth removed to St. John, New Brunswick, to educate his children and practise his profession. Nevertheless, the County of Charlotte elected him to the Assembly of New Brunswick in 1785, and he was appointed clerk of the House. He was also commissioned as a justice for the County of Sunbury, and held other offices during his residence there. In 1787, having secured the permission of the War Office,

1. *St. Croix Courier series*, CIV, LXX, LXXXVI, LXXXVII, LXXXIX, XC, XCI, XCII, CIX; Ganong, *Origins of the Settlements in N. B.*, 55, 57, 170; Ganong, *Historic Sites in N. B.*, 340; Raymond *Winslow Papers*, 489.

2. Ganong, *Hist. Sites in N. B.*, 339.

he returned to Massachusetts, at first to Salem where he spent six years, thence removing to Worcester to enjoy the privilege—unusual for one of his former attachments—of residing in the paternal mansion and being treated with respectful consideration by his fellow-townsmen. Here he lived out the remaining forty years of his life with means ample to provide for every want. His status as a citizen of the United States, which he had forfeited early in the Revolution, was restored to him by special act in 1825. Samual Bliss of Greenfield, Massachusetts, one of the grantees of Dr. Paine's party, later secured the concession of the large island at the mouth of L'Etang Harbor, still known as Bliss's Island, and of the small island near it called the White Horse.¹

West of the lower Magaguadavic, the Royal Fencible Americans were for the most part settled. Although included among the loyalist corps, the Fencibles had been enlisted in Nova Scotia and Newfoundland. Such of their officers and men as received grants at Passamaquoddy appear to have been in garrison at Fort Cumberland, where they were disbanded in 1783. Captain Philip Bailey and fifty-eight others landed on November 10 of the same year at the mouth of the Magaguadavic, and perhaps Lieutenant Peter Clinch accompanied them, although he had visited the region in advance. Late in February, 1784, Lieutenant Clinch was granted seven hundred acres extending from the lower falls to the headwaters of L'Etang and in the following month the others received their grant of more than 10,000 acres. That an additional number of the Fencibles came to Passamaquoddy is shown by the muster held at L'Etang, or St. George's Town, on July 3, 1784, when there were present of the "late Royal Fencible American Regiment," one hundred and eight men, forty women, and fifty-three children, or a total of two hundred and one persons. The valley of the Magaguadavic contained rich meadow lands, abundant forests, and ample water powers; but these advantages made no appeal to most of the disbanded soldiers, who occupied themselves with hunting and fishing, or gave themselves over to the pleasures of the cup. Many soon left the coun-

1. *St. Croix Courier series*, LXXIII, LXXVI; *Coll. N. B. Hist. Soc. V. I*, No. 3, 273; Stark, *Loyalists of Mass.*, 385-387; Ganong, *Hist. Sites in N. B.*, 339; Chandler, *The Chandler Family*, 269; Paine, *Paine Family Register*.

try. The others improved their farms, and probably followed the life of the woodsman. The descendants of the latter were joined by new immigrants, the settlement was extended up the river, and lumbering operations were considerably increased. By 1803, the population of the Parish of St. George was four hundred, of which only seventy-eight were men. There were already five mills in the parish, which were cutting annually 2,300,000 feet of boards. In addition, the settlers were raising good crops of various cereals, besides potatoes and flax.¹

East of St. George's Town, an association of Pennsylvania Quakers settled on the west shore of Beaver Harbor, where a town called Bellevue was laid out for them. The association was formed early in 1783 in New York City, where its members had taken refuge. Joshua Knight of Abington, a suburb of Philadelphia, appears to have been the leader of the "society." Samuel Fairlamb, John Rankin, and George Brown were sent out as agents to select a place for settlement on the river St. John, but chose Beaver Harbor instead. Among the regulations adopted before the party sailed was one providing that "no slave be either bought or sold nor kept by any person belonging to said society on any pretense whatsoever." The associators reached their destination sometime before October 12, 1783, and were granted one hundred and forty-nine lots of the nine hundred and fifty constituting the town plot at Beaver Harbor. They renamed their settlement Penn's Field, since contracted to Pennfield, and were evidently joined by other immigrants, for a contemporary writer estimated the population of the place at eight hundred. It is said to have contained about three hundred houses in 1786, but was devastated by fire in the following year. Doubtless, it was this disaster that caused the removal of most of the inhabitants to Pennfield Ridge, Mace's Bay, and other localities, and left those remaining behind in great poverty. Fortunately, two Quakers from Philadelphia visited the town in the late summer of 1787, and noting the distressed condition of the colonists, raised a subscription among the members of their

1. *St. Croix Courier series*, LXXIV, LXXVII; *Coll. N. B. Hist. Soc.*, No. 5, 197, 201, 217, 218; Ganong, *Hist. Sites in N. B.*, 339; Ganong, *Origins of the Settlements in N. B.*, 167; Raymond, *Winslow Papers* 490; *Acadiensis*, July, 1907, 255, 256.

sect on their return home, with which they purchased and shipped a supply of flour and Indian meal, together with other necessities, to Beaver Harbor. According to certain brief but interesting records of the town, which are still extant, donations were also received from Friends in England, these donations being mentioned under date of March 10, 1789. The records also tell us that in July, 1786, the society at Pennfield decided to erect a small meeting house on ground allotted for the purpose. This intention was carried out, and the meeting house was still standing in the spring of 1789. The loss in population suffered by the Parish of Pennfield during this period is shown by the census of 1803, which reported but fifty-four inhabitants, principally Quakers concerning whom it was noted that they were excellent farmers living on a good tract of land and in comfortable circumstances.¹

The decline of Pennfield helped to populate the smaller harbors farther east, although some of these had been settled shortly after the war by loyalists who may have come either from St. John or directly from the States. Lepreau was first occupied in 1784; Mace's Bay was settled later by the exodus from Pennfield; Seely's Cove had its origin in 1784 or 1785 as a small loyalist colony formed by Justus Seely; Dipper Harbor and Chance Harbor both began as fishing villages founded by loyalists in 1784, and Musquash was established a year earlier by people of the same class. The expansion of the descendants of these groups has supplied settlers to other places along the coast.²

Another settlement worthy of mention was that of the Cape Ann Association in what is now the Parish of St. David. This parish lies northwest of the Bay of Passamaquoddy, and includes the headwaters of Dennis Stream and the Digdeguash River, which are not navigable. The association numbered two hundred and twenty members, and received a grant of nearly 23,000 acres on October 1, 1784. Many of the grantees appear to have come from Gloucester, Massachusetts, and vicinity. Several, however, were from New Boston in New Hampshire. Francis Norwood, the leader of the association, was one of the latter. Twenty-six

1. *St. Croix Courier series, LXVII: Coll. N. B. Hist. Soc., IV, 73-80; Ganong, Origins of the Settlements in N. B., 158; Raymond, Winslow Papers, 345, 490.*

2. *Ganong, Origins of the Settlements in N. B., 144, 171, 127, 123, 152.*

of those who had grants at St. Andrews drew lands also in St. David; while several others, whose names appear in the Penobscot Association grant, are listed among the grantees of the Cape Ann Association. Among the latter were Moses Gerrish, John Gillis, and William Monroe. These facts indicate that nearly one seventh, if not more, of the Cape Ann company were loyalists. Since, however, most of them did not belong to this class, the association was assigned "back lands," that is, lands back from navigable waters, evidently on the principle that loyalists and disbanded troops were entitled to the best locations. It is probable that the St. Andrews and Penobscot grantees drew "back lands" either for their children, which they had a right to do, or as a matter of speculation. However, the settlement in St. David did not fulfil its promise, although the soil there was of excellent quality: in 1788, there were nearly one hundred and fifty absentees, and two years later, all but forty-six lots had been escheated. By 1803, the settlers numbered two hundred and eighty-six, and were reported to be the most independent farmers of any in the County of Charlotte.¹

Thus far we have been dealing almost exclusively with the settlements formed on the mainland by loyalists, or, in the case of St. David, with a settlement in which loyalists had some small share. We turn now to the islands. The large islands on the west side of Passamaquoddy Bay, as well as some of the smaller ones, gained a number of settlers at the close of the Revolutionary War. Indeed, the outermost of these islands, namely, Grand Manan, became the resort of several loyalist families² as early as 1770, these families coming from Machias, Maine, where they considered it unsafe to remain any longer. The place in which they built their huts still retains the name of the leader, Joel Bonney, being known as Bonney's Brook. However, they were not permitted to enjoy peace even here, and in 1780 they removed to the mouth of the Digdeguash on the mainland.³ With the

1 *St. Croix Courier series*, LXX, CXVI; Ganong, *Hist. Sites in N. B.*, 338, 340; Ganong, *Origins of the Settlements in N. B.*, 55; Raymond, *Winslow Papers*, 489.

2. The families were those of Joel Bonney of Pembroke, Conn., (now in Mass.), Abiel Sprague, and James Sprague: *Coll. N. B. Hist. Soc.*, V, I, No. 3, 346.

3. *Coll. N. B. Hist. Soc.*, V, I, No. 3, 346, 347, 359; *Acadiensis*, July, 1906, 165; *St. Croix Courier series*, XCVI, LIII.

ending of the war, a license was granted "to John Jones, Thomas Oxnard, Thomas Ross, Peter Jones, and Moses Gerrish, and others, being fifty families, to occupy during pleasure the Island of Grand Manan, and the small islands adjacent in the fishery, with liberty of cutting frame stuff and timber for building." Gerrish and a few of his associates took possession, and began their settlement near Grand Harbor in May, 1784. They found their island to be fourteen miles in length and nine miles in breadth, "very steep and craggy on all sides," but fertile in soil and covered with good timber. Evidently, not all the families expected joined the new community, but so far as we can tell those who came were prominent refugees from Penobscot. Gerrish himself was one of these, although originally from Newbury, Massachusetts, and a family by the name of Cheney was from the same place. Thomas Ross had been a mariner at Falmouth, Maine, and entered the West Indies trade after coming to Grand Manan. He was granted a small island, still called Ross Island, just east of the one on which he made his home. Captain John Jones appears to have returned to Maine in 1786, after disposing of his interest in the island to James and Patrick McMaster, two merchants of Boston, who had become discredited early in the Revolution on account of their loyalty. John Dogget, another of the refugee settlers, was a native of Middleboro, Massachusetts. No doubt, the isolated position of the island retarded its development: at any rate, its population was but one hundred and twenty-one in 1803. Nevertheless, the number of inhabitants was sufficiently large to help establish the British claim to Grand Manan in the long controversy with the United States that followed years after. The retention of the island was regarded of great importance by England on account of its being the key to the entrance of the Bay of Fundy. Together with other islands in Passamaquoddy Bay, Grand Manan was declared part of New Brunswick in 1817. For years, Gerrish was the most prominent resident on the island, and served both as collector of customs and justice of the peace. While he and his associates failed to secure the fifty families required by the license of occupation to obtain a grant of the entire island, the Council of New Brunswick ordered grants to the settlers of their respective possessions and allotments, together with a glebe and

a lot for public uses, and these grants were duly passed, November 1, 1810.¹

North of Grand Manan, the Island of Campobello was partly settled by loyalists, a few of whom remained but a short time. At the opening of the Revolution, John Hanson, a native of Marblehead, Massachusetts, came to the island in a whaleboat, only to pass on to Minister's Island, where he settled. Captain Christopher Hatch, a grantee of Parr Town on the River St. John, went into the mercantile business at Campobello. Later, he sold out to Lieutenant Thomas Henderson, who became the customs officer of the island. Another grantee of Parr Town, who settled temporarily on Campobello, was Nathan Frink, a native of Pomfret, Connecticut, and a captain in the King's Loyal American Dragoons. It is recorded by a historian of the island that many of the early inhabitants, who lived along what is called the North Road, were tories from New York, some of them being of Scotch origin. Later on, this loyalist element appears to have been considerably increased by the accession of numerous families from the mainland, who, dissatisfied with their locations, either sold or abandoned their grants there. In 1803, the population of Campobello, including both loyalists and other settlers, numbered nearly two hundred and fifty persons.²

North of Campobello, Deer Island had occupants who, as previously noted, went to considerable trouble to take the oath of allegiance to the King at the time of the American attack upon Penobscot. The earliest refugees to join these settlers probably fled from Colonel Allen's rule at Machias. Among these, it would appear, was Josiah Heney, a native of Portland, Maine, who was aided in making his escape from Machias in 1777 by James Brown of Passamaquoddy. Later, Heney sought the protection of the post at Penobscot, and came thence to Deer Island,

1. *Coll. N. B. Hist. Soc. V. I.*, No. 3, 347-350; *Acadiensis*, July, 1906, 168; *ibid.*, July, 1907, 209; Ganong, *Origins of the Settlements in N. B.*, 136; Lorimer, *Hist. of Islands, II*; Raymond, *Winslow Papers*, 589, 490, 580, n; Sabine, *Am. Loyalists*, 1847, 459; *St. Croix Courier series*, LIII, XCIII, XCIV, CXII.

2. *Coll. N. B. Hist. Soc., V. I.* No. 2, 215; *St. Croix Courier series*, LXXVIII, CXXIV; Wells, *Campobello*, 6; Raymond, *Winslow Papers*, 490; Ganong, *Origins of the Settlements in N. B.*, 67.

where he built a house opposite Pleasant Point.¹ About the same time, John Rolf and his daughter arrived from Machias. Several members of the Penobscot Association also took up their residence on the island, including Daniel Leemen and William Stewart, the latter settling at Pendleton's Passage. Other loyalists came in from St. John, New Brunswick, one of these being John Appleby, who located at Chocolate Cove. Both Appleby and Leeman have descendants now living on Deer Island. Another settler from St. John was Issaac Richardson, whose name is perpetuated in that of Richardsonville. It was not long before these loyalist inhabitants were joined by some of the families from the mainland, who evidently thought they could better their condition by removing to Campobello. In 1803, this island and its dependencies had a population of one hundred and seventeen. In the following year, a score of these residents tried to establish a claim to the lands on which they were living. The memorial of these petitioners states that they had been on Campobello for twenty years (or since 1784), which would suggest that many of them, if not all, were refugees from the States. Gideon Pendleton, whom we know to have been a loyalist from Long Island, and whose name appears in that of Pendleton's Island, was one of these.²

The island just named had been granted, no doubt, to Gideon Pendleton, as other of the small islands were granted to other adherents of the Crown. However, Moose Island (now Eastport) was inhabited at the close of the Revolution by about half a dozen families, who had been more or less in sympathy with Great Britain during that struggle. It is not known how many outside loyalists joined this little colony, but it is said that George Cline (or Klein), a recruiting sergeant during the War, and Joseph Ferris, a native of Stamford, Connecticut, and a captain in Butler's Rangers, both lived for a time on Moose Island. The former spent the end of his days on Bar Island, and the latter, on Indian Island. James Maloney, who was a mariner and a grantee of St. Andrews, settled on St. Andrews Island, and

1. *St. Croix Courier series*, CXXI, XLIX, CLX; Lorimer, *History of Islands*, 89.

2. *St. Croix Courier series* CXXI, CXXII; Ganong, *Origins of the Settlements in N. B.*, 67; Raymond, *Winslow Papers*, 490.

Matthew Thornton who fled to escape persecution after the battle of Bennington, spent one winter there, being later provided with a grant as a member of the Penobscot Association. Thornton was a native of New Hampshire.¹

The population of the Passamaquoddy region in 1784, according to Colonel Edward Winslow's muster was 1,744 persons, of whom seven hundred and ninety were men, three hundred and four, women, and six hundred and fifty, children.² The various regiments and other groups represented comprised the 42nd, 70th, and 72nd regiments, Royal Fencible Americans, King's Orange Rangers, Royal Garrison Battalion, Tarleton's Dragoons, Nova Scotia Volunteers, Regiment of Specht (Brunswick soldiers), various corps at L'Etang, Nehemiah Marks' Company, loyalists and others at Beaver Harbor, Penobscot loyalists, and Lieutenant Colonel Stewart and party, besides two small companies, one in the District of Passamaquoddy and the other on the River Magaguadavic. As we have already seen at some length, most of these people were loyalists, and although the men had pursued the most diverse occupations in their former homes, farming engaged the great majority of them at Passamaquoddy. However, at the time of the landing of the refugees from Penobscot, lumbering operations were already in progress near the headwaters of the Scoodic or St. Croix River, on both sides of which a settlement of fifteen or twenty families was in existence. Most of these families had come from Machias, and had evidently chosen their location on account of the valuable timber and the water power to be had there. At the mouth of Dennis Stream they had built a sawmill.³ Thus began the lumber trade of the St. Croix, which may have supplied building material to loyalists who settled farther down the river. However, there were abundant supplies of fine timber along the other large rivers emptying into Passamaquoddy Bay, and there were ample water powers and excellent harbors at hand. The newcomers, appreciating these advantages, established important

1. *St. Croix Courier series*, LII, CXXI, CXXIV, XCIV, CXIII.

2. *Ibid.*, LXVII. The figures given in the text are taken from the original Muster Book, now in the possession of the Rev. Dr. W. O. Raymond, of St. John, N. B.

3. *St. Croix Courier series*, LII.

villages at St. Stephen, Milltown, St. Andrews, St. Patrick, and St. George's Town, and erected sawmills at numerous points of vantage. Sailing vessels were needed for the lumber trade, and so ship-building became an important industry in several of the parishes that were settled by the loyalists. By 1803, the Passamaquoddy District had no less than twenty-one sawmills, which together cut 7,700,000 feet of boards, and it also had a fleet of fifty-nine sails, besides numerous smaller craft. Of the sailing vessels, St. Andrews Parish alone had built forty-two since 1785.¹ The principal markets for the lumber exported from Passamaquoddy were Nova Scotia and the British West Indies, in both of which regions thousands of loyalist refugees were settling during this period. It need scarcely be added that fishing was an important occupation of many of the settlers on the shores and islands of Passamaquoddy Bay. The quantity of fish taken in 1803 amounted to 9,900 quintals and 3,000 barrels, besides about 5,000 boxes of herring.²

Meanwhile, the loyalists and their fellow-colonists were multiplying in numbers despite the removal of many from Passamaquoddy to other places in New Brunswick or to the States. By 1803, the population of Charlotte County had reached 2,622 persons, or nearly eight hundred and fifty more than that of the year 1784. With the growth in numbers, desirable lots that had been abandoned by the first grantees were taken up and occupied by young men coming into maturity who wished farms of their own, and, following this, new settlements were made on the uplands back of the older settlements. In this way, an expansion seems to have taken place up the St. Croix, Digdeguash, and Magaguadavic.³

The coming of the loyalists had led to the creation of Charlotte County, together with the seven other counties of New Brunswick, early in 1786. At the same time, Charlotte County had been subdivided into seven towns or parishes, namely, St. Stephen, St. David, St. Andrews, St. Patrick, St. George, Pennfield, and the West Isles. The act establishing these divisions

1. Raymond, *Winslow Papers*, 489-491.

2. *Ibid.*

3. Ganong, *Origins of the Settlements in N. B.*, 59, 61.

had also declared that St. Andrews should be thereafter the seat of the County of Charlotte.¹ But before the passage of this measure by the first Assembly of the province, and even before New Brunswick had been made a separate province, Governor Parr had created a court for the District of Passamaquoddy (early in 1784) by appointing John Curry, Philip Bailey, Robert Pagan, and William Gallop to be justices of the peace therein. All of these men were loyalists, and three of them were grantees of St. Andrews; while the fourth, Captain Philip Bailey, was a grantee of St. George's. Two of them received appointments in addition to that of justice of the peace. Mr. Pagan served the Crown as agent for lands in New Brunswick and in looking after matters connected with grants to the loyalists. He also represented his county for a number of years in the Provincial Legislature. Mr. Gallop was commissioned as first registrar of deeds for Charlotte County, in March, 1786, and continued in that office until 1789. Another St. Andrews loyalist, Colonel Thomas Wyer, became the first sheriff of the county, being appointed in the spring of 1785, and serving until 1790, when he was succeeded by his fellow-townsmen, John Dunn, a refugee from New York, who held the position twelve years. Mr. Dunn also acted as comptroller of customs at St. Andrews for a long period.²

The action of Governor Parr in appointing justices of the peace for the District of Passamaquoddy in 1784 is to be regarded as the revival of an earlier court, rather than as the creation of a new tribunal. Before the Revolution, the general sessions of the peace for the District had been held on the Island of Campobello. That they were resumed there after the war is shown by Robert Pagan's statement that he went to Campobello to attend the sessions in his capacity as magistrate for the County of Sunbury.³ A little later, sessions were held at St. Andrews, but whether there or on Campobello, the jurisdiction of the court appears to have extended over all the islands of Passamaquoddy Bay. It should be noted, however, that Grand Manan had at least one

1. *Acadiensis*, July, 1907, 232.

2. *Ibid.* 223-225; *Coll. N. B. Hist. Soc.*, V. I, No. 3, 363.

3. *St. Croix Courier series*, LXXXVI; Ganong *Evolution of the Boundaries of N. B.*, 281, n.

resident justice of the peace in the person of Moses Gerrish who, as previously mentioned, served also as collector of customs for that island. Joseph Garnett, who died in St. Andrews in the year 1800, is said to have been "New Brunswick's first master in Chancery and the first deputy registrar of deeds and wills and deputy Surrogate or Judge of Probate for Charlotte County."¹

The settlement of the loyalists on Passamaquoddy Bay gave rise, as we have seen, to a dispute over the western or river boundary of Nova Scotia. That dispute was to remain undecided until 1798. By the treaty of 1783, the boundary had been fixed at the St. Croix; but the topographical location of the true St. Croix was as yet unknown. However, the Nova Scotia authorities had acted on the assumption that the Scoodic was the St. Croix by settling large numbers of loyalists on its eastern bank. John Allan had called the attention of the Massachusetts government to the refugee settlements at St. Andrews in August and again in September, 1783. Thereupon, the Massachusetts House of Representatives had directed Governor Hancock (October 23) to obtain information regarding the alleged encroachments, and communicate the same to Congress. This was done at once, and Congress replied (January 26, 1784,) with a recommendation that representations should be made to Nova Scotia, if the results of an investigation warranted it. The advice was followed, a committee was sent to Passamaquoddy, and on its return reported that the Magaguadavic, lying about three leagues east of St. Andrews, was the original St. Croix. On the basis of this report, Governor Hancock wrote to Governor Parr, November 12, 1784, requesting him to recall such of the King's subjects as had "planted themselves" within the Commonwealth of Massachusetts. The reply to this communication came from Thomas Carleton, governor of New Brunswick, the province that had been recently erected on the north side of the Bay of Fundy: Carleton wrote that "the *Great* St. Croix, called Schoodick by the Indians," was considered by the Court of Great Britain as the river intended by the treaty of 1783 to form part of the boundary. President Washington urged the adjustment of the matter in a special message to Congress in 1790; but

1. *Acadiensis*, July, 1907, 210, 226, 227.

nothing was done until Jay's treaty was signed four years later, a clause in this instrument providing for the reference of the question to the final decision of commissioners.¹

It is interesting to note that, first and last, not less than four prominent loyalists took part in the important labors of the board of commissioners thus authorized. Thomas Barclay, a graduate of Columbia College and a captain in the Loyal American Regiment, who had fled to Nova Scotia at the close of the Revolution, was named commissioner for Great Britain. His American colleague was David Howell, an eminent lawyer of Rhode Island, and they together designated Egbert Benson, a distinguished jurist of New York, as the third member of their board. Edward Winslow of Plymouth, Massachusetts, who had served as muster-master general of the loyalist forces at the close of the war, and then had taken up his residence in New Brunswick, became secretary of the commission. Each government had an agent to prepare and present its case before the board. The British agent was Ward Chipman of Massachusetts, a graduate of Harvard college and deputy muster-master general under Winslow. In New Brunswick, whither Chipman removed after the war, he attained the highest honors, serving as member of the House of Assembly, advocate general, solicitor general, etc. The agent for the United States was James Sullivan, one of the ablest members of the bar in Massachusetts at that time. The identification of Bone (now Dochet) Island with the Isle of St. Croix of Champlain, on which the identification of the River St. Croix largely depended, was accomplished by Robert Pagan, one of the loyalist grantees of St. Andrews. After a series of meetings held at various times from August to October 26, 1798, the commission rendered the verdict that the Scoodic was in fact the River St. Croix intended by the treaty of 1783. The source of the stream, thus declared to be the boundary between Maine and New Brunswick, was decided to be the eastern or Chiputneticook branch of the St. Croix. This was undoubtedly a fair line of division, inasmuch as the St. Croix had been the old eastern boundary of Massachusetts Bay.²

1. Ganong, *Evol. of the Boundaries of N. B.*, 241-254, and the authorities there cited; Rives, *Correspondence of Thomas Barclay*, 45, ff.

2. Ganong, *Evol. of the Boundaries of N. B.*, 254-259; Sabine, *Am. Loyalists*, 144, 711, 208; Stark, *Loyalists of Mass.*, 436, 432.

In 1784 and 1785, the question of ownership of some of the islands in Passamaquoddy Bay became a point of contention between the British and American governments. The loyalists and other British settlers of that period laid claim to all of these islands, and were supported therein by the New Brunswick authorities. Nevertheless, the Eastern Lands committee of the Massachusetts House of Representatives had Moose, Dudley, and Frederick islands surveyed (in 1784), and sold Dudley Island to John Allan, who settled there and made some improvements. At about the same time, the same committee was authorized to make sale of Grand Manan and the small islands adjacent, despite the fact that the government of Nova Scotia had already granted a license (December 30, 1783,) to Moses Gerrish and his associates to occupy Grand Manan. In October, 1785, Congress passed a resolution instructing the American minister in London to attempt an adjustment of these matters, or failing that, by commissioners appointed by the two governments. Ignoring both the resolution of Congress and the operations of the Massachusetts committee, the Assembly of New Brunswick enacted a law (January 3, 1786,) dividing the province into counties and parishes, in which the Parish of West Isles in Charlotte County was declared to comprise Deer Island, Campobello, Grand Manan, and Moose, Frederick, and Dudley islands, with all the lesser islands contiguous to them. Several years later (that is, in 1791), Massachusetts played the next card by causing Moose Island to be divided into lots and granting these to the occupants. When the boundary question was taken up by the St. Croix commission, the contention over the islands was wisely excluded from the discussion by the explicit instructions of the British ministry. The next step took the form of negotiations, which were concluded in 1803 by a convention or agreement declaring Deer Island and Campobello, with the small islands lying to the north and east, to be under the jurisdiction of New Brunswick, the others to the south and westward being declared subject to Massachusetts. Strangely enough, Grand Manan was not mentioned.¹

1. Ganong, *Evol. of the Boundaries of N. B.*, 278-287, and the authorities there cited; *Acadiensis*, July, 1916, 168.

In the War of 1812, Moose Island was seized by the British, and was permitted to remain in their possession by the treaty of Ghent until its title could be determined. The fourth article of this treaty provided for a commission of two members to settle the island question. Thus, the suggestion first made by the American Congress in 1785 was finally adopted. Two of the loyalists who had shared in the work of the boundary commission, were assigned tasks of like kind in connection with this one. They were Thomas Barclay and Ward Chipman, representing Great Britain as commissioner and agent, respectively. The United States was represented by John Holmes, a prominent citizen of Maine, as commissioner, and James T. Austin, a leading lawyer of Massachusetts, as agent. The memorial of the British agent repeated the old claim of Nova Scotia to all the islands of Passamaquoddy Bay, not forgetting Grand Manan, on the basis of their inclusion within the original limits of that province, the extent of its jurisdiction, the exercise of its civil authority, etc. The counter-claim of the United States was also heard, and the rejoinders on both sides. Finally, on November 29, 1817, the commissioners gave their decision, namely that Moose, Dudley, and Frederick islands belong to the United States, and that all the other islands, including Grand Manan, belong to his Britannic Majesty, "in conformity with the true intent of the second article of the treaty of 1783." As both governments accepted this decision, the dispute over the islands was closed.¹ Thus, the loyalist settlers, whether on or off the mainland of Passamaquoddy Bay, were finally left to enjoy in peace the lands granted them at the close of the Revolution.

¹ Ganong, *Evol. of the Boundaries of N. B.*, 287-290.



THREE PUBLICATIONS OF THE LIVERPOOL AND MANCHESTER SOCIETY IN THE
MONTH OF 1847.

The *Journal of the American Revolution in the British West Indies and
Antigua*. Published by the University, March 1847.

The *Journal of the Liverpool Free Press*, in *Continuity*. Pub-
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THE LOYALIST REFUGEES
of NEW HAMPSHIRE

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The Loyalist Refugees of New Hampshire

The best index of the relative number of Loyalists in New Hampshire in the early months of the Revolution appears in the figures obtained through the submission of the "association test" during the summer 1776, in response to the resolution of the Continental Congress of March 14 of the year named, recommending the disarming by the local authorities of the several Colonies of all persons notoriously disaffected to the American cause, or who refused to associate for the defense of the country "against the hostile attempts of the British fleets and armies." Eighty-one hundred and ninety-nine men signed the test, and seven hundred and seventy-three declined, or neglected, to affix their signatures. That is to say, over one-eleventh of those to whom the test was submitted failed to sign it. This fraction included about 200 Quakers of Brentwood, Gilmantown, Kensington, Richmond, Rochester, and other towns, who withheld their names chiefly on account of their scruples. Some of these non-jurors were certainly not Tories, if we may accept the explanations offered by them to the selectmen of their respective towns. Thus, the Quakers, of Gilmantown found no difficulty in accepting the Declaration of Independence or paying their proportion in support of the United Colonies, but based their failure to sign the test solely on the ground of their religious principles. James Caruth, a Scotch inhabitant of Kingstown, declined to take up arms against either his native or his adopted country, but announced his readiness to pay his taxes; while others of his fellow-townsmen professed the fear of infringing their liberties by signing, although asserting friendliness to the American cause, and in a few instances demonstrating it by serving in the Continental army.¹

Even allowing for these friendly non-jurors, however, we must not overlook the fact that some Tories had already fled from New

¹N. H. State Papers, Documents, and Records from 1776 to 1783, VIII 204-296; Brewster, *Rambles about Portsmouth*, N. H., 212-215.

Hampshire, or were soon to do so. In June, 1775, bodies of armed men at Portsmouth pursued John Fenton, an expelled member of the House of Assembly, to the residence of Governor John Wentworth, and compelled him to surrender. He was then given a hearing by the Provincial Congress and incarcerated in the jail at Exeter, but was later allowed to escape and go to England. Woodbury Langdon, a merchant of Portsmouth who also served in the Provincial Congress, sailed for the mother country in October, 1775. In a memorial to Lord North, dated February 7, 1777, he explains that he had left America after "using his influence for peace and good order," to the end of preserving his family, his life, and his property, and that he might "avoid all temptation to take sides with his disaffected countrymen." Meantime, Governor Wentworth and his family had retired to Fort William and Henry in Portsmouth Harbor for safety, whence they embarked on the King's ship *Canso*, August 24, 1775, being accompanied by Captain John Cochran, the commander of the now dismantled fort, and doubtless by other adherents of the royal cause. After landing at Boston the Wentworths remained with the British army, going to Halifax in March, 1776, and at length to Philadelphia on their way to London. They arrived in the British metropolis, March 13, 1778. Other refugees from New Hampshire also sought protection within the lines at Boston, including Elijah Williams who with several others fled from Keene soon after the battle of Lexington, John Morrison who became attached to the commissary department of the King's forces after the battle of Bunker Hill, Colonel Edward Goldstone Lutwyche a member of the Provincial Congress until 1775, William Stark who received a colonel's commission in the royal army after being refused one in the New Hampshire contingent, George Meserve the collector of customs at Portsmouth, Samuel Hale, Jr., Gillan Butler, Joseph Stacy Hastings, and probably John Fisher the naval officer at Portsmouth and supposed to be identical with the person of the same name who was a brother-in-law of Governor Wentworth and was later to become, like Benjamin Thompson of Concord, a secretary in the Colonial Secretary's office in London. After making himself obnoxious by entertaining two British officers, Benjamin Thompson withdrew from Woburn, but on discovering that his presence there was not desired, hastened to Rhode Island

and sailed for Boston in October, 1775. In the following January he sailed for England.¹

However, not all the refugees from New Hampshire went to England, or even to Boston. At least a few joined Burgoyne during the fall of 1777, including Levi Warner of Claremont, who testifies that he served with the British during the entire war and was at St. Johns at the head of Lake Champlain in 1783, and Captain Simon Baxter who was condemned to death by the Whigs, but on the day set for his execution escaped "with the rope around his neck and succeeded in reaching Burgoyne's army." At the peace he went to New Brunswick and was living at Norton, King's County, when death finally overtook him in 1804. Joseph Stacey Hastings, a Harvard graduate of the class of 1762, sought safety at Halifax, although he ultimately returned to Boston where he kept a grocery store. No doubt, New York City and the neighboring islands became sooner or later during the Revolution the favorite asylums of the exiles from New Hampshire, as they were for most of those from the other Northern States. Indeed, some of them accompanied Howe's army from the Nova Scotian capital to Staten Island in the fall of 1776. Among these was Governor Wentworth himself, who spent more or less of his time at Flatbush on Long Island, only a few miles from New York, until his departure for Philadelphia and London. In a letter to his sister written from this point, in January, 1777, the deposed Governor, referring to a group of his fellow refugees from Portsmouth who had returned with him to American soil, reports the good health of Messrs. Meserve, Hale, and Lutwyche, as also of Captain Cochran, Mr. Macdonough, and Mr. Wentworth, the three last being with him, as he specifically states. As we have already met most of these gentlemen it will suffice here to say that Thomas Macdonough had been Governor Wentworth's secretary and that Benning Wentworth was to return to Nova Scotia after the peace and to be honored with several high offices there (a membership in the Council, and the secretaryship and treasurerhip of the Province)

¹Brewster, *Rambles about Portsmouth*, 2d Series, 252, 253; Sabine, *Am. Loyalists*, (1847) 680, 216; Sec. Rep., Bur. of Archives, Ont. Pt. I (1904) 831; Hutchinson's *Diary and Letters*, II, 192; *Colls. Hist., and Miscel. and Monthly Lit. Jour.*, III, 44, 220; *Colls. Top., Hist., and Biog.*, I, 55; *Colls. N. H. Hist. Soc.*, II, 112; Raymond, *Winslow Papers*, 429; Sabine, *Am. Loyalists*, 476, 464, 433, 630, 341, 286; Lyford, *Hist. of Concord, N. H.*, I, 252-254.

during the years 1795 to 1797. The Governor refers in the same letter to Messrs. Boyd and Traill who were evidently also in exile the former being undoubtedly George Boyd who had been a member of the Council of New Hampshire, while the latter was with equal certainty Robert Traill, until recently comptroller of the customs at Portsmouth. Where these persons were at the time is left in doubt.¹

The early flights from New Hampshire and particularly from Portsmouth, which was the seat of the provincial government, must have been increased by the termination of royal authority there and also by the action of the Continental Congress, October 6, 1775, in recommending to the various provincial assemblies and committees of safety the arrest of such persons as were regarded to be dangerous to the liberties of America. Gen. John Sullivan violently denounced "that infernal crew of Tories" at Portsmouth in a letter of October 29th to Washington, who replied November 12th, with an order that all officers of the royal government who had manifested an unfriendly disposition be seized and dealt with according to the wishes of the Provincial Congress or Committee of Safety. The other Tory inhabitants of the town were specifically omitted from this order, although Washington declared that they would "meet with this or a worse fate" in the near future, if they failed to reform their conduct. When, in the middle of November, the New Hampshire Congress took action in accordance with Washington's recommendation, it contented itself with designating six persons only for removal to moderate distances from Portsmouth, or for confinement in specified towns. The fact that the penalties imposed were not of a severer nature, or the number of those condemned larger may be fairly taken as another indication that the more objectionable officials had already fled. However, the six victims were let off easily, for they were kept under restraint less than six weeks.²

As yet New Hampshire had not adopted the policy of expelling its dangerous inhabitants. On the contrary, it was to become in the late autumn the custodian of considerable numbers of such

¹Sec. Rep., Bur. of Archives, Ont.; (1904) Pt. II, 1020; Sabine, *Am. Loyalists*, 148, 149, 350; N. H. Prov. Papers, Documents, and Records, 1674-1776, VII, 394; Sabine, *Am. Loyalists*, 453, 680, 171, 651.

²N. H. Provincial Papers, Documents, and Records, (1764-1776), VII, 623, 662, 695.

persons from New York, sent over by the Committee of Conspiracies of that State. One group of these prisoners, which was forwarded to Exeter in the latter part of October, or later, numbered 117 persons; but in March, 1777, the New Hampshire Committee of Safety was notified by a new board of Commissioners, recently appointed by the New York Convention, that all of the latter's prisoners were to be recalled and given the choice between taking the oath of allegiance, or seeking the protection of the enemy. Meanwhile, New Hampshire sought to encourage the departure of her own Tories, for on January 16th her House of Representatives adopted a resolution granting full liberty to such of the inhabitants as were disaffected and desirous of leaving the State with their families and effects to do so within the next three months and, in the language of the resolution itself, "go to any other parts of the Globe they may choose," provided that they would notify the selectmen of their respective towns 30 days in advance of their departure.¹ Again, we are confronted by the lack of evidence that would enable us to determine how many took advantage of the terms of this resolution. Doubtless, that evidence lies buried in numerous town records of the period, insofar as these have survived to the present day. On June 13, 1777, the House of Representatives itself readily granted permission to John Pierce, of Portsmouth, who was then in prison, "to repair to the West Indies or to Great Britain, and not to return to this State nor to any part of this Continent, without leave had and obtained of the General Assembly or of the Continental Congress."² With equal readiness the New Hampshire Committee of Safety gave its consent on October 8 to a schooner that had recently arrived at Portsmouth under a flag of truce to transport the families of Benjamin Hart and other designated inhabitants to Rhode Island, an exception being made in the case of one person only, who was held as a prisoner of war.³

A month later the House of Representatives showed conclusively that it entertained suspicions toward the non-juring Quakers of the State by appointing a committee from several counties to

¹Brewster, *Rambles about Portsmouth*, N. H., 204-296.

²N. H. State Papers, Documents, and Records from 1776 to 1783, VIII. 379-383, 393, 394, 508, 468, 584.

³*Ibid.*, 702.

examine the records and papers of the Friends' societies in Dover, Hampton Falls, Seabrook, and other towns with a view to transmitting to the House for further inspection any writings of a political nature that might be disclosed.¹ But, after all, it was not the Quakers against whom the General Assembly directed its most determined action. This action was embodied in the measure adopted in November, 1778, to prevent the return of 76 persons named therein and of others who had left, or might leave, the State and had joined, or might join, the enemy. These persons were roundly denounced for deserting the cause of liberty and abetting that of tyranny by depriving the United States of their personal services at a time when their utmost assistance was needed; and since their return might be productive of new dangers the measure forbade their voluntary reappearance without leave, obtained in advance, by special act of the Assembly. It also made it the duty of the inhabitants of any district, as well as of the local officers, to apprehend and carry before a justice of the peace for commission to the common jail any absentee who might presume to return. The person thus committed was to be kept in custody until he should be sent out of the State. A master of a vessel who knowingly brought into the State any of the persons above described, or a person who willingly harbored a return refugee, was to pay a fine of £500 on conviction, one-half to go to the State and the other to him who should sue for it. Fugitives who should return a second time were to suffer death. Of those named in the act 32 had been residents of Portsmouth, 6 of Londonderry, 5 of Keene, 4 of Dunbarton, 3 of Hollis, and a like number of Alstead, while a dozen or more other towns had contributed the remainder in smaller numbers.²

¹N. H. State Papers, Documents, and Records, (1776-1783) VIII, 713.

²By towns those proscribed were as follows: from *Portsmouth*, John Wentworth, Esq., Peter Livius, Esq., John Fisher, Esq., Geo. Meserve, Esq., Robt. Traill, Esq., Geo. Boyd, Esq., John Fenton, Esq., (Capt.) John Cochran, Esq., Samuel Hale, Esq., Edward Parry, Esq., Thos. McDonough, Esq., Maj. Robt. Rogers, Andrew Pepperell Sparhawk, Esq., Patrick Burn, mariner, John Smith, mariner, Wm. Johnson Rysam, mariner, Stephen Little, physician, Thos. and Archibald Achincloss, Robt. Robinson, merchant, Hugh Henderson, merchant, Gillam Butler, merchant, Jas. and John McMasters, merchants, Jas. Bixby, yeoman, Wm. Pevey, mariner, Benj. Hart, rope-maker, Bartholomew Stavers, post-rider, Philip Bayley, trader, Samuel Holland, Esq., Benning Wentworth, gentleman, Jude Kermison, mariner; from *Pembroke*, Jonathan Dix, trader; from *Exeter*, Robt. Luist Fowler, printer; from *Concord*, Benj.

Before the end of November, 1778, the Assembly proceeded to confiscate the real and personal property of 23 of the proscribed, together with those of two other Loyalists whose names had not appeared in the act of proscription. These two persons seem to have been non-residents of the State.¹ In each county trustees, or agents, were appointed to take possession of the sequestered estates and sell the personal property immediately at public auction, except such articles as they might deem necessary for the support of the families of the proscribed. In the case of the furniture and family pictures of Governor Wentworth, however, it was not the trustee but the Assembly itself that decided (April 27, 1780) that these personal effects should be delivered up to the father of the absent official, namely, Mark Hunting Wentworth. The need of clothing for the Continental army led the Assembly at the close of March, 1781, to direct the trustees of the confiscated estates to pay into the State Treasury at once the money accruing from sales thus far made. At the same time, the Treasurer was directed to appropriate this money to the payment of orders for military clothing which had been, or was yet to be issued by the Board of War. A few days later (that is, on April 4) a committee of the

Thompson, Esq.; from *Londonderry*, Stephen Holland, Esq., Richard Holland, yeoman, John Davidson, yeoman, Jas. Fulton, yeoman, Thos. Smith, yeoman, Dennis O'Hala, yeoman; from *New Market*, Geo. Bell, trader, Jacob Brown, trader; from *Merrimack*, Edward Goldstone Lutwyche, Esq.; from *Hollis*, Samuel Cummings, Esq., Benj. Whiting, Esq., Thos. Cummings, yeoman; from *Dunbarton*, Wm. Stark, Esq., John Stark, yeoman, John Stinson, Jr., Samuel Stinson, Jeremiah Bowen, yeoman; from *Amherst*, Zaccheus Cutler, trader, John Holland, gentleman; from *New Ipswich*, Daniel Farnsworth, yeoman; from *Francetown*, John Quigley, Esq.; from *Peterborough*, John Morrison, clerk; from *Keene*, Josiah Pompoy, physician, Elijah Williams, Esq., Thos. Cutler, gentleman, Eleazer Sawyer, yeoman, Robt. Gillmore, yeoman; from *Packersfield*, Breed Batchelder, gentleman; from *Alstead*, Simon and Wm. Baxter, yeomen; from *Winchester*, Solomon Willard, gentleman; from *Rindge*, Jesse Rice, physician; from *Charlestown*, Enos Stevens, gentleman, Phineas Stevens, physician, Solomon Stevens, yeoman, Levi Willard, gentleman; from *Claremont*, John Brooks, yeoman; and from *Hinsdale*, Josiah and Simon Jones, gentlemen. (N. H. State Papers, Documents, and Records, 1776-1783, VIII, 810-812; Belnap, Hist. of N. H., I, 380, 381.)

¹The names appearing in the act of confiscation (Nov. 28, 1778) are as follows: John Wentworth, Esq., Samuel Holland, Esq., Geo. Meserve, Esq., (Capt.) John Cochran, Esq., Thomas McDonough, Esq., Wm. Johnson Rysam, Jas. McMasters, John McMasters, Benning Wentworth, gentleman, Robt. Luist Fowle, Stephen Holland, gentleman, Edward Goldstone Lutwyche, Esq., John Stinson, Zaccheus Cutler, John Quigley, Esq., Daniel Farnsworth, Josiah Pomroy, Elijah Williams, Esq., Breed Batchelder, Enos Stevens, Simon Baxter, John Brooks, Crean Brush (of Cumberland County, N. Y.), Samuel Tarbell, and Jas. Rogers.

Lower House, to which had been referred the question what should be done with such estates of absentees and subjects of Great Britain as had not been confiscated hitherto, reported in favor of the immediate sequestration and sale of these properties, and this was probably done.¹

The history of a considerable number of the New Hampshire Loyalists after their flight from the State may best be traced by examining the record of the corps of Volunteers associated by Governor Wentworth probably after his arrival on Long Island in the fall of 1776. The Governor himself testified in 1784 that his men were very respectable persons from their several Provinces who "supported themselves at their own expense." So far as known the first muster roll of this company was taken at Flushing, Long Island, October 16, 1777, when the officers were Captain Daniel Murray of Rutland, Massachusetts, First Lieutenant Benjamin Whiting of Hollis, New Hampshire, and Second Lieutenant Elijah Williams of Keene, New Hampshire, and the number of men was scarcely more than 20. Six months later the company was mustered at Hampstead, Long Island, and numbered but 26. In the following month (June, 1778,) 21 of its members, including the officers named above, petitioned General Sir Henry Clinton from Bedford, Long Island, for such support as their service might require, because they had been deprived of their property and in a few cases of considerable fortunes. Eleven of these petitioners were from New Hampshire, 6 from Massachusetts, 3 from Connecticut, and 1 from Rhode Island. Of 8 others who belonged to the company at this time, or later, at least 5 were from New Hampshire. By the close of June, 1778, Wentworth's Volunteers had more than doubled in numbers, but during the next two months they shrunk to 26. We next hear of the company at Newport, Rhode Island, at the end of March, 1779, whence they operated with Captain Abraham DePeyster's Grenadier Company of the King's American Regiment, a detachment of Colonel George Wightman's Loyal New Englanders, and Captain Martin's corps, under the name of the Associated Refugees, in an unsuccessful expedition against New Bedford, Massachusetts, and immediately afterward in a bombardment of Falmouth, Maine. They

¹N. H. State Papers, Documents, and Records, (1776-1783) VIII, 813, 814, 857, 893, 896.

were back at Newport by April 6th. From this time on until Rhode Island was evacuated by the British in the fall the Associated Refugees were active in operations in Buzzards Bay, at Nantucket and Martha's Vineyard, and along the Connecticut coast, as related at some length in the chapter on "The Refugee Loyalists of Connecticut." Having returned to Long Island, Wentworth's Volunteers were mustered at Jerusalem near the end of May, 1780, and found to number 41 men. Seven months later they were at Lloyd's Neck with an equal strength, although it is said that they reached their maximum enrollment of 83 men at this time (December, 1780.) The last muster was held in March, 1781.¹

Whatever the size of the company at the moment, Colonel Edward Winslow, who had been in command of the Associated Refugees during a part of their service in Rhode Island, together with Captain Murray and Major Joshua Upham, was now seeking to form a Loyalist brigade and trying to obtain Governor Wentworth's consent to command it. As a part of this plan Murray had proposed to General Clinton the raising of a troop of Dragoons, but was meeting with various difficulties, one of which was due to his failure to obtain a pass from headquarters to bring off certain recruits with the result, according to Winslow's account, that "18 men who would have been doing duty as dragoons in the service" were captured and sent to the Simsbury mines in Connecticut, Winslow added that he was quite willing to wait until Murray's corps was completed and Upham's respectable in numbers, and that he had no reason to suppose that he would fail in securing an appointment as lieutenant colonel, although admitting himself unsuccessful in every attempt to secure recognition since Clinton's accession to the chief command in America. His failure thus far Colonel Winslow attributed to the "unpardonable inattention" with which General Timothy Ruggles, his first patron, had been treated by General Clinton and the disgust which Ruggles had therefore contracted for "present men and measures," in consequence of which "he could neither negotiate with confidence or serve with alacrity." However, a more cogent reason for Winslow's failure to achieve the military rank he coveted appears in the competing ambition of Benjamin Thompson who, through the favor of Lord

¹Second Rep., Bur. of Archives, Ont., Pt. I, (1904), 567; Muster Rolls of the Loyalist Battalions (at St. John, N. B.); Raymond, Winslow Papers, 20.

George Germain, had secured in England an appointment as lieutenant colonel and was having a refugee corps known as the King's American Dragoons recruited for him at this very time. It was in this corps that Captain Murray, Lieutenant Williams and most of their men—many with commissions—were enrolled, together with Colonel Wightman's Loyal New Englanders, now numbering scarcely more than 50 men, and Major Joshua Upham's Volunteers of New England, who had attained a maximum strength of only 32 men. Altogether these three companies furnished no more than 125 recruits for the new regiment. The opportune arrival at New York of the *Bonetta* from Yorktown, Virginia, after the surrender of Cornwallis, brought in a remnant of the Queen's Rangers and Tarleton's British Legion, which is said to have been added to Colonel Thompson's corps. Be this as it may, the muster rolls show that the corps consisted of 228 men at the close of December, 1781, when it was stationed at New Utrecht, Long Island.

Meanwhile, in the previous autumn, Colonel Thompson had arrived at Charleston, South Carolina, and after a brief participation in the British operations in that vicinity, sailed for New York in the following April to take command of his regiment. In the latter part of June he was getting ready "to recruit in good earnest," as he wrote a friend at the time, although he fails to mention in his letter the recent addition of 16 volunteers. About a month later (July 24, 1782) Rivington's *Royal Gazette* contained an advertisement offering 10 guineas to volunteers for the King's American Dragoons, or 5 guineas to any one who would bring in a recruit and 5 guineas to the recruit himself. It was announced also that an officer would remain on duty at Lloyd's Neck for the convenience of those who might cross from the mainland at that point. By the middle of September the corps was at Ireland Heights, three miles east of Flushing, and numbered 312 rank and file, but was marched to Huntington on October 1st, where it built a fort for the purpose of protecting the trade across the Sound in that region, according to an item in the *Gazette*, but which was probably intended chiefly as a winter shelter for the troops themselves. By December 1st the corps was reported as consisting of 550 effectives, and 18 days later this figure was increased to 580 in Rivington's columns. That these statements were exaggera-

tions is conclusively shown by the muster rolls, according to which the highest number ever in the corps was 332 on April 12, 1783, when the King's American Dragoons were at Springfield, Long Island.¹ Although most of the New Hampshire men who entered the King's service belonged to this regiment, a few are known to have joined other Loyalist corps. Thus, John Stinson of Hillsboro served for a period in the Royal American Reformers; Stephen Holland, probably from Londonderry, was a member of the Prince of Wales American Volunteers; Robert Robinson became an ensign in the Loyal American Regiment, and John Stark attained a lieutenancy in the Royal Guides and Pioneers.²

At the termination of the war the refugees from New Hampshire were among the first of the American Loyalists to leave Long Island and New York for their new homes in Nova Scotia. In March, 1782, Captain Simon Baxter, whose escape to Burgoyne's army referred to earlier in this paper, arrived at Fort Howe at the mouth of the St. John River with his family was befriended by several persons of local importance, and recommended by them to the authorities in Halifax. Soon afterwards he received a grant of 5,000 acres in what is now the Parish of Norton, Kings County, New Brunswick. In the same year in which Mr. Baxter landed at Fort Howe a paper was circulated among the refugees at Lloyd's Neck and in Queen's County, Long Island, (probably at Springfield) to be signed by those approving the terms contained in the "articles of settlement" by which this paper was accompanied. The terms suggested were that vessels should be provided by the British authorities at New York to convey the emigrants, together with their horses and cattle, to their destination; that clothing, farming implements, arms and ammunition, mill stones, medicines, and one year's supply of provisions should be furnished them, and that lands should be granted to them in the country to which they were going, including a sufficient acreage for the support of a church and a school. The authors of these articles of settlement were Lieutenant Colonel Thompson, Lieutenant Colonel Edward Winslow, Major Joshua Upham, who was now

¹Raymond, Winslow Papers, 51, 57, 69, 70; Winslow's Muster Rolls (in the possession of the N. B. Hist. Soc., St. John, N. B.); Ellis, Life of Rumford, 124, 125, 129, 131, 136, 139-141, 143.

²Sabine, Am. Loyalists, (1847) 570, 363, 630; Sec. Rep., Bur. of Archives, Ont., Pt. 272.

commandant of Fort Franklin at Lloyd's Neck, and several others, including Samuel Cummings, Esq., of Hollis, New Hampshire. The articles received the general approval of General Sir Guy Carleton, who in a letter of September 22d solicited the assistance of the Governor of Nova Scotia for these refugees. Those who signified their intention of going numbered 177 men, 99 women, and 316 children. Nine transports were required for their conveyance, and the *Amphitrite* and another of the king's frigates acted as convoys. On October 19th this fleet entered the Annapolis Basin but did not discharge its passengers until the following day, when Robert Briggs, the commander of the *Amphitrite*, who had treated the exiles under his care with generous consideration, even spending £200 of his own money to make them comfortable during the voyage was presented with an address of appreciation and thanks signed by Amos Botsford, Samuel Cummings, Elijah Williams, and others.¹

When this band of expatriated Americans arrived at their destination, Annapolis Royal was a mere hamlet of 120 inhabitants, but already its two best educated, if not most serviceable, citizens were refugees from the States. One of these was Benjamin Snow, a graduate of Dartmouth College in New Hampshire, who had opened a grammar school in the village the preceding year, and the other was the Reverend Jacob Bailey, a graduate of Harvard College, who had but recently become the rector of St. Luke's Parish. In October, 1777, Mr. Bailey had managed to escape from Pownalsborough, Maine, to Boston, and later with his family to Halifax. Thence, in October, 1779, he removed to Cornwallis where he remained as pastor of the Church of England until 1782, when he came to Annapolis. An eye-witness of the landing of this first concourse of his fellow-exiles, though the number of them was much less than of those moving at different times during the following months, Mr. Bailey has depicted in various letters, written at the time, the severe experiences of Annapolis and its numerous guests. The more than 500 newcomers proved to be "a prodigious addition" to the population of the place, crowding the houses and barracks beyond their utmost capacity, so that

¹Raymond, *The River St. John*, 506; *N. B. Courier*, Mar. 28, 1835; Rep. on the Am. Mss. in the Roy. Inst. of G. Brit., III, 144, 159, 207; Savary, *Hist. of the Co. of Annapolis Supplement*, 36.

many were unable to procure lodgings. Both the inhabitants and the soldiers were "lost among the strangers," who were "a mixture from every Province on the Continent except Georgia," not a few of them being "people of fashion." Mr. Bailey received into his own house the family of Mr. Cummings, and was told by this gentleman that another considerable fleet might be expected in three weeks and 2,000 more families in the spring. He learned further that the Loyalists had come well supplied "with clothing and provisions for a twelve month, besides all instruments for husbandry," and that those who had belonged to what he called "the Gentlemen Volunteers" were receiving five shillings per day. The Whigs up the Annapolis River were so highly displeased with the arrival of the immigrants that they threatened to petition the government for their removal and one impecunious inhabitant proclaimed himself ready to pay £50 towards their deportation.¹

Before the withdrawal of these Loyalists from Long Island, Sir Guy Carleton had advised them to send agents to examine vacant lands for settlement. These agents, who were Amos Botsford, Samuel Cummings, and Frederick Hauser, hastened to Halifax with a letter from the Commander in Chief to Governor Parr, recommending them to the latter's consideration as persons entitled on every account to the grants of land they were seeking and such other advantages as had been promised by proclamation, or otherwise, to intending settlers. After a satisfactory interview with the Governor and the Surveyor General, Charles Morris, the agents returned and explored the country from Annapolis to St. Mary's Bay and then crossed the Bay of Fundy to the River St. John near the end of November, 1782. Finding the river impassable for boats at this season of the year, they travelled on foot about 70 miles up-stream to the Oromocto and also went up the Kennebecasis. Returning to Annapolis, the agents wrote to friends in New York, January 14, 1783, an account of their journey, in which they expressed a favorable opinion of the lands they had just viewed on the St. John, because these could be secured sooner than those near Annapolis, were sufficiently close to the cod fishery

¹Sabine, *Am. Loyalists* (1864) I, 201; Bartlet, *Frontier Missionary*, 191-193; Calnek and Savary, *Co. of Annapolis*, 604, 66-68; *Polit. Magazine* (London, Eng.), 1783; Campbell, *Hist. of Nova Scotia*, 170, 171; Rev. W. O. Raymond's Notebook (unpublished), Rev. J. Bailey to Thos. Robie, Oct. 19 1782, Rev. Bailey to Capt. Farrel, Oct. 21, 1782.

in the Bay of Fundy, and were secure against both the Americans and the Indians. They added that some of their associates were in favor of settling on the St. John, while others preferred Conway (now Digby), but that for the winter all were settled, a part in the town of Annapolis, a part in the barracks, and a part up the Annapolis River for a distance of 20 miles under terms made with the inhabitants, and that while some were already doing well, the others had nothing to live on but their provisions.¹

How many of the associated Loyalists at Annapolis settled on the St. John River is not known, but certainly some of the refugees from New Hampshire located in the region north of the Bay of Fundy. One of these was John Stinson of Hillsboro, who went to St. John in May, 1783, and became a grantee of the town, although he spent a year at Maugerville and lived later in Lincoln, Sunbury County. Captain John Cochran and John Holland also settled in St. John, the former being able to maintain the style of a gentleman, while the latter was elected sheriff of the county. Lieutenant John Davidson, who served as deputy surveyor in the province for some years, settled in Dumfries, York County, and became a member of the House of Assembly in 1802. Hugh Ruinton of Londonderry took up his abode in the Province in 1783, and Solomon Stephens was a resident of Musquash at the time of his death in 1819.²

Although some of the King's American Dragoons accompanied the large party sailing for Annapolis about October 1, 1782, the greater part of the regiment did not leave New York for Nova Scotia until the following spring. Sir Guy Carleton mentions them in a letter of April 26 to Major General Paterson, in which he enclosed embarkation returns of the troops and refugees going to different parts of that province. In this letter he states that he had consented to the request of the Dragoons to be sent to St. John River, and that they were to proceed directly to that place. The corps did not arrive at its destination until the end of June, when it encamped on Lancaster Height just back of Carleton, and was employed in cutting and clearing the streets of the town that was rapidly forming. Colonel Edward Winslow, who saw them

¹Raymond, *The River St. John*, 510, 511; Murdoch, *Hist. of Nova Scotia*, III, 13-15; Wilson, *Hist. of the Co. of Digby*, N. S., 46.

²Second Rep., *Bur. of Archives*, Ont., Pt. I, 101, 272; Sabine, *Am. Loyalists*, 635, 216, 363; Raymond, *Winslow Papers*, 95, n.; Sabine, *Am. Loyalists*, 551, 631.

engaged in this work, was impressed by their general cheerfulness and good humor, and noted that they were enjoying a great variety of what New Yorkers would call luxuries, such as partridges, wild pigeons, salmon, bass, and trout. However, these pleasures of the regiment were soon to be interrupted, for it was found that the men could not provide themselves with winter quarters where they were without serious inconvenience to the many Loyalists settling at the mouth of the river. They were therefore ordered on August 8 to proceed about 100 miles up the St. John to the land allotted them in the district assigned to the provincial regiments. The Dragoons were the first to settle here, their grant extending from Long's Creek, twenty miles above Fredericton, to the "Barony" at the mouth of the Pokiok, and being christened by them the township of Prince William, in honor of their royal patron, afterwards King William IV. It was not long before several officers of the corps became prominent in the affairs of New Brunswick. Thus, Major Joshua Upham attained a seat on the supreme bench, as did also Ward Chipman, the paymaster of the corps; Major Daniel Murray served some years as a member of the House of Assembly for York County and as a leading magistrate; Lieutenant John Davidson, a prominent land surveyor, also represented York County in the provincial legislature; Captain Jonathan Odell became the first provincial secretary and held the office for 28 years, and after him his son, William F. Odell, held the same post for 32 years; Surgeon Adino Paddock achieved an enviable reputation as a physician; Quartermaster Edward Sands became a leading merchant of the City of St. John, and Cornet Arthur Nicholson commanded the garrison at Presquise.¹

Ex-Governor Wentworth returned from England to Halifax, September 20, 1783, to take up the duties of surveyor general of the King's woods in Nova Scotia at a salary of £800 a year and an allowance of a guinea a day while in actual service. It was reported at the time that his family would follow him in the spring. For the next nine years Mr. Wentworth was chiefly occupied in travelling about the Province and preventing the cutting of timber on the royal preserves, as also the unlicensed

¹Report on Am. Mss. in the Roy. Inst. of G. Brit., IV, 55; Raymond, Winslow Papers, 102, 123, 183; Raymond, The Dispatch of Woodstock, N. B., Nov. 28, 1906.

falling of pine trees which were suitable for masts, whether on granted or ungranted lands, since these were destined for the use of the British navy. Toward the close of 1784 he appointed Benjamin Marston to be his deputy in New Brunswick. In March, 1792, the ex-Governor was again in London. During this visit he was knighted and also appointed to succeed Mr. Parr as lieutenant governor of Nova Scotia. On his return to Halifax, May 12, he was welcomed by the civil and military authorities of the Province and was sworn into office two days later. He continued to administer the government of Nova Scotia for 16 years, being retired in April, 1808, on the arrival of Sir George Prevost. In the following month the Assembly voted him £500 sterling per annum as a pension for life, in compliance with the wishes of the King, who announced his intention of making additional provision for the declining days of his faithful servant. Sir John and Lady Wentworth now took up their residence at the Prince's Lodge near Halifax, and continued to live there, except while absent in England in 1810 and 1811, until Sir John's death, April 8, 1820, in his 84th year.¹

In view of the fact that Amos Botsford accepted a commission from Governor Parr as soliciting agent for Conway, and together with 300 others received a patent for a township comprising 100,000 acres at the southern end of the Annapolis Basin, it is probable that a number of Botsford's associates participated in settling this locality. Many of the patentees, however, had entered the Province since the arrival of the first association (or in June, 1783), and as the vessels that brought them to Conway—seven in number—had been supplied by Rear Admiral Robert Digby, the newcomers interceded with the government to change the name of the township to Digby, and the patent contained a clause carrying their desire into effect. Among the names appearing in this document, which was dated February 20, 1784, are those of several men already familiar to us as refugees from New Hampshire, namely, Thomas Cummings, Josiah Jones, Enos and Phineas Stevens, and Elijah Williams. In keeping with the resolution of the patentees to erect a town, Deputy Surveyor Thomas Milledge laid out a plot containing about 70 acres, and lots were drawn by the settlers

¹Raymond, Winslow Papers, 133, 134, 258, n., 388, 389, 391, 394, 615, n., 632, 646, 656, 663; Murdoch, *Hist. of Nova Scotia*, III, 277, 281-283.

under the supervision of Surveyors Milledge and John Harris of Annapolis and Amos Botsford in his capacity as agent for the colonists. Meantime, the Reverend Edward W. Brudenell, Richard Hill, and John Stump had been appointed to act with Mr. Botsford as a land board, and this board located the other settlers regardless of necessary formalities, except in assigning the numbers of their respective lots. The colonists labored throughout the summer in clearing away the forest and erecting log houses, or in some instances houses built with oak frames that had been brought from the States. A few of the log structures were afterwards enlarged, covered with boards and shingles, and survived for more than a century.¹

But although Digby sprang into existence during the year 1783, many of the Loyalists in the neighborhood were reported, September 16, 1784, as being still unsettled "on account of the negligent and dilatory conduct of those appointed to lay out lands for them." Fully one-third of the persons named in the Botsford grant failed to occupy their lots. Others who were not included in the patent were nevertheless assigned lands, or went upon them without authority, even including the common and the glebe. When complaints were made against this illegal procedure, the squatters promptly made demands for allotments. While this contention was in progress a British man-of-war, which had been despatched with provisions and implements for the colony, was detained by adverse winds, and the settlers were brought to the verge of starvation on account of the smallness of the season's crops. During the disturbances that followed a discharged officer, who had done much in promoting the settlement and was both a deputy land surveyor and a justice of the peace, was charged with disloyal acts by the puisne judges before the Governor and the Council, and suffered the loss of his justiceship, June 16, 1785. An extensive outbreak was avoided only by the wise management of certain officials and the timely arrival of the delayed supplies. But sufficient harm had already been done to cause many of the best residents to remove from Digby. Some of these returned to the States, while others removed to Granville farther up the Annapolis Basin, or crossed the Bay of Fundy to St. John. A few went to Weymouth, which lies on the east side of St. Mary's Bay about seventeen miles

¹Wilson Hist. of the Co. of Digby, N. S., 52, 48, 49, 50, 64, 65.

south of Digby, among these being Enos and Phineas Stevens and Josiah Jones who, as we have seen, had come originally from New Hampshire.¹

The departure of these dissatisfied ones only complicated, instead of relieving, the situation, for they neglected to dispose of their shares in the township, and left their unimproved lots to be occupied and cultivated by others having no legal title to them. The increasing difficulties of the problem were brought to the attention of the provincial House of Assembly, April 2, 1795, by several grantees of the township, who urged that commissioners be appointed to look into the question, on account of the injury that the settlement was suffering through continued expense and litigation. Two days later a bill was introduced to quiet the possession of lands within the township. For some reason, which is not stated in the official records, action was deferred until the next session, when a new bill was presented, but with no better success. In June, 1798, the inhabitants of Digby petitioned the Council, and a commission of inquiry was appointed. However, this body so far failed in its duty that a new appeal was presented in October, and a second board of commissioners was named, and was given power to employ a clerk and one or more deputy surveyors "at the expense of those immediately interested." This board took ample time to accomplish its task with thoroughness, and at length submitted a report recommending that the landholders, whether claiming by grant or occupancy, be considered actual owners, and that a new patent, or "grant of confirmation," be immediately issued assigning to the 276 real estate proprietors, then residents of Digby Township, the tracts held by them respectively. This report became the text of the proposed grant, and on January 31, 1801, was signed by Sir John Wentworth as lieutenant governor and countersigned by Benning Wentworth as secretary of the Province of Nova Scotia. Thus, after 17 years, during which Digby had remained at a standstill in population, the inhabitants of the town were freed from their burden of suspense, and given the legal assurance that the lands which they had cleared and tilled were their own. It is, of course, obvious that the grievances of people of Digby did not receive just treatment until they came before the

¹Raymond, Winslow Papers, 189; Wilson, Hist. of the Co. of Digby, N. S., 76, 77, 75.

Council of the Province, and it is worthy of note that the "grant of confirmation" bears the official signatures of two distinguished Loyalists from New Hampshire, who were fully able to appreciate the sad plight in which their fellow refugees at Digby had long been placed by force of circumstances.¹

Not a few of the founders of Digby were educated men, while others possessed no more than an ordinary education, or only the rudiments of knowledge. Among their number was William Barbancks, who is said to have been "a worthy and competent tutor," and soon began to teach reading, writing, and arithmetic to the children of the scattered settlement, although he was under the necessity of going from one homestead to another for the purpose. As Mr. Barbancks was induced to remove to Gulliver's Cove before long, the colonists engaged the services of Lieutenant James Foreman, a graduate of a high school in England, who opened a "superior school" early in November, 1784, in his own dwelling, with an enrollment of 75 pupils. During the summers of 1785 and 1786, Mr. Foreman also conducted a class in the Anglican catechism and selections from the Scriptures. The need for more commodious quarters led to the erection of a schoolhouse in 1789, by voluntary subscriptions. This building, which was fitted with long desks for both elementary and senior pupils and a brick furnace, remained the center of education for the residents of the county until the establishment of an academy at Digby.²

The first religious service held in the new settlement was in 1783, when the Reverend Edward W. Brudenell delivered a sermon. About two years later the Reverend Jacob Bailey came over from Annapolis and conducted worship in the house of one of the residents. As the Loyalists of Digby and its vicinity were Episcopalians, and had now made considerable progress with their settlement, they held their first vestry meeting, September 29, 1785, elected officers, and instructed their church wardens to petition the Governor to establish the limits of a parish to be called Trinity Parish. The name which they suggested is reminiscent of the fact that many of the pioneers had been members of Trinity Church in New York City, under the ministrations of the Reverend Charles Inglis, D. D. Governor Parr fixed the boundaries of the parish, March 3,

¹Wilson, Hist. of the Co. of Digby, N. S., 77-81, 111.

²Ibid., 92, 93.

1786, and before many months had passed a church was built by local subscriptions, aided by an appropriation from the provincial fund for building and repairing established churches, and a generous contribution from Admiral Digby, who also presented a bell. This structure and the adjoining burial ground were consecrated by Dr. Inglis, who was now bishop of Nova Scotia, July 31, 1788.¹

It will have been noted that New Hampshire's treatment of the Tory element in her population was relatively moderate. She permitted Loyalists to leave the State, and indeed by the resolution of January 16, 1777, she encouraged them to go, but she did not expel them, and many of them remained. Those who did go, however, were forbidden to return by the act of November, 1778. The ultimate success of the Revolutionists does not seem to have changed their opinion of their absentee brethren. In the spring of 1783, the town of Hollis voted to instruct its representatives against permitting the return of the refugees or the restoration of "their forfeited estates." About a year later Elijah Williams put in his appearance at Keene, and was promptly bound over to the court of sessions at Charlestown, which ordered him to leave the State as soon as he had transacted his business. After settling his affairs Williams departed for Nova Scotia, but he was not long in finding his way back to Deerfield in consequence of ill health, and there he died.²

Some of the non-jurors who had remained within the borders of the State during the war were as unforgiving as the Revolutionists, and showed no inclination to become reconciled to the outcome of the war. A notable instance of this sort is disclosed by the petition of Ebenezer Rice and Lieutenant Benjamin Tyler, March 4, 1784, to Governor General Haldimand at Quebec, requesting permission for their own and 46 other families of Claremont to settle on Lake Memphremagog, or on the west bank of the Connecticut River. They explained that they had always been loyal subjects of King George III, were members of the Church of England, but were "overburdened with Usurpation, Tyrene, and oppression from the Hands of Violent Men," who had used every art to include them among the proscribed in the late Revolution,

¹Wilson, *Hist. of the Co. of Digby, N. S.*, 88, 87, 89, 90.

²Worcester, *The Town of Hollis, N. H., in the War of the Rev.* (a reprint from the *N. E. Hist. and Gen. Reg.*, July, 1876); *Colls. N. H. Hist. Soc.* II, 134, 135.

and that they were therefore impatient to find an asylum in their "Royal Master's Dominion." They hoped that after those who had been meritorious in service should be provided for, their own petition might receive favorable consideration. Not content to depend solely on a written plea, the petitioners sent Captain Benjamin Summer to Quebec with a letter for Surveyor General Samuel Holland from the clerk wardens and vestrymen of their church begging his assistance in favor of their request. It is interesting to note that the list of 48 names submitted with the petition contains a number that also appear among those of the non-jurors of Claremont, May 30, 1776.¹

The lapse of more time was needed to remove the antipathies of the past, and in the case of James Sheafe of Portsmouth, who had suffered imprisonment for his Toryism, a complete restoration to popular favor occurred, for in 1802 Mr. Sheafe was elected a United States senator from New Hampshire, and fourteen years later he came within 2,000 votes of being chosen governor of the State.²

¹Haldimand Papers, B. 175. pp. 251, 253-255; N. H. State Papers, Docs., and Records from 1776 to 1783, VIII, 218-220.

²McClintock, Hist. of N. H., 510, 511.

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AN ESSAY IN HISTORICAL INTERPRETATION

BY

HOMER C. HOCKETT

*Professor of American History in
The Ohio State University*

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TO

FREDERICK JACKSON TURNER

*In Acknowledgment of a Debt which but Increases with the
Lapse of Years*

PREFACE

This study was begun in a search for the key to the political history of Monroe's presidency, so long superficially known as the Era of Good Feeling. The quest for the unifying principle of this confused period revealed, however, that it could not be separated from the events which marked the earlier history of parties, and that it would be necessary to treat the whole question of the rise and decline of the first pair of parties in the United States—Federalism and Jeffersonian Republicanism. Due regard for the threads of continuity in this larger topic required that the operation of formative influences be traced from about the middle of the eighteenth century to the end of the first quarter of the nineteenth. The study has thus become a sketch of our party evolution down to 1825, so far as that evolution was influenced by new forces and issues released or raised by the development of new western areas.

It is hoped that the essay may be sufficiently successful to warrant a continuation of this type of study for the period since 1825.

OHIO STATE UNIVERSITY
August 12, 1916

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CHAPTER I

THE ORIGIN OF PARTIES IN THE UNITED STATES

1. COLONIAL ANTECEDENTS

In Europe political parties have divided in the main along lines of social stratification; in the United States the lines of cleavage have tended to be geographical. The reason for this difference is that the parties of modern Europe have developed within countries occupying definitely fixed territories, while in the United States settlement has expanded over a continent many times out-measuring the region which it occupied at the beginning of our national history. The origin of our parties is therefore to be sought in the variation of social types incident to the westward movement of population from the Atlantic coast, and our party history is closely connected at every epoch with the changes resulting from each stage of the westward advance. It was the development of a group of inland settlements differing in important ways from the coast communities which first gave rise to those conflicting economic interests and social ideals which have furnished the causes of party groupings throughout our history.¹

The forces of social selection began very early in colonial days to produce differences between the older settlements and the new.

¹ "We may trace the contest between the capitalist and the democratic pioneer from the earliest colonial days."—Frederick J. Turner, in the *American Historical Review*, XVI, 227. The idea of social differentiation as a result of the westward movement was first set forth clearly by Professor Turner in the essay on "The Significance of the Frontier in American History," in the *American Historical Association Report for 1893*.

During the past two decades several writers working independently have produced monographs dealing with the social development and sectional struggles in so many of the colonies that it is now possible, by putting together the facts revealed by their researches, to obtain a fairly comprehensive understanding of the evolution of this group of inland settlements and of the reasons why they came into conflict with the older communities. The more important of these monographs are:

Ambler, C. H., *Sectionalism in Virginia*.

Bassett, J. S., "The Regulators of North Carolina," in *Amer. Hist. Assn. Report for 1894*.

Becker, C. L., *The History of Political Parties in the Province of New York, 1760-1776* (University of Wisconsin Bulletin, History Series, II, No. 1).

Lincoln, C. H., *The Revolutionary Movement in Pennsylvania*.

Schaper, W. A., "Sectionalism and Representation in South Carolina," in *Amer. Hist. Assn. Report for 1900*, I.

The whole subject of the formation of the social order of the interior east of the Alleghenies has been summarized by Professor Turner in "The Old West," *State Historical Society of Wisconsin Proceedings for 1908*.

The first colonists were frontiersmen, wielding the axe and building their cabins and rude blockhouses in the forest clearings. Wilderness conditions gave way with surprising rapidity, however, to those of settled life, and the frontier line began its westward march towards the setting sun. Long before it crossed the Alleghanies, the dominant members of the communities first settled had worked out a measurably satisfactory adjustment between their ideals and environment, and had set up ecclesiastical, political, and economic systems which they desired to perpetuate. The hunters, fur traders, and farmers upon whom fell the chief task of settling the interior came, on the other hand, from those elements of the population which were more or less in ill-adjustment with the coastal order. Thus it came to pass by the middle of the eighteenth century that two contrasting societies dwelt between the mountains and the sea, the one occupying the coast lands, the other the "back country," and thus was prepared the stage for the first party divisions. ✓✓✓

In the Old Dominion, during the rise of tobacco planting, men of small means were unable to maintain themselves as land holders in the fertile valleys of the tidewater, in competition with the wealthy,² and found it necessary to retreat either to the more barren upland between the river courses, or towards their sources, for on the outskirts of settlement lands were to be had as bounties for defence of the frontier.³ A distinct sectionalism appeared within the colony even before the close of the seventeenth century, and furnishes the true clue to Bacon's Rebellion.⁴ A few men of the upper social class, like Captain William Byrd, of more adventurous nature than most of their kind, interested themselves in frontier lands, but the great majority of the inhabitants of the back settlements were poor men struggling to gain a foothold by dint of their own labor. Throughout the colonial period, in fact, most of Virginia's brilliant society, as well as her wealth and political power, centered in the slaveholding plantations of the tide-

² See Bruce, P. A., *Economic History of Virginia in the Seventeenth Century*, I, 527 et seq., on the tendency towards large holdings. We can only conjecture the process by which engrossment affected the small farmers, but cf. the displacement, two centuries later, of the small farmer in the Gulf region by the cotton planter: Phillips, U. B., "Origin and Growth of the Southern Black Belts," in *Amer. Hist. Rev.*, XI, 798-816. See also below, 114 and f. n. 101.

³ Bruce, *Economic History*, I, 510 et seq. The practice of "squattling" must have appeared early also. See Ford, A., *Colonial Precedents of our National Land System*, 113.

⁴ Osgood, H. A., *The American Colonies in the Seventeenth Century*, III, 245-247.

water.⁵ The Anglican establishment, like the economic system, tended to drive certain elements of the population from the coast regions. In the days of intolerance, the exclusion of non-Anglicans resulted in an overland migration from the James River to Albemarle Sound, making North Carolina for a time virtually a frontier of Virginia, but the tempered ecclesiasticism of the eighteenth century permitted the settlement of dissenters in the interior, thus adding another element of contrast with the coast. Although somewhat later in making themselves felt, similar forces came into play in North Carolina with the rise of the plantation system there, and with similar results.⁶

As the social order of the coast plain crystallized, the outlet to the frontier for those whom the system hampered impeded the formation of social strata, but stratification after the European fashion proceeded apace wherever the outlet was stopped. Such was the case for a time in South Carolina, where access to the interior was difficult because of the broad belt of "pine barrens," which ran parallel with the coast and isolated the piedmont. Substantially all of the good lands lying east of this barrier had been engrossed by the planters before population began to move into the district in its rear. Hemmed in on the coast the whites tended to divide into two classes: the planters and merchants who composed the aristocracy and were bent on such an organization of industry and government as would promote their own interests, and a proletariat which would probably have become a negligible political force. Foreign commerce, the professions, and planting were considered to be the only respectable vocations, and there was little room in the economy of the plantation save for the planter and the slave.⁷ Farther north, New York affords another example of the tendency to stratification. Here expansion was retarded by the Catskills and the Iroquois Confederacy of the Mohawk Valley, while the system of large land grants in vogue from the days of the Dutch patroons enabled the landlords to lay claim to available lands far in advance of settlement. A legal system of small grants gave a measure of protection to poor settlers who would fight for their rights, but under the circumstances many preferred lands in

⁵ Speculative land owning in the Virginia piedmont became common in the eighteenth century, but most of the population continued to consist of poor farmers with small holdings. Cf. Turner, "Old West," 205.

⁶ *Ibid.*, 207-209.

⁷ Schaper, "Sectionalism," 274, 304.

other colonies where fee simple titles could be had more easily and safely. Vast tracts claimed by proprietors therefore remained unoccupied, while to a greater extent than in any other colony white cultivators of the soil sank to the status of semi-feudal tenants.⁸

The rise of an interest strong enough to compete with the coastal aristocracy was due to the settlement of the interior, and its story is a part of the history of the coming of the German and Scotch-Irish immigrants.⁹ Into New York came, about 1710, Germans whom Governor Hunter planned to colonize in Livingston Manor. Dissatisfied with their treatment, the colonists "trekked" to the valley of the Schoharie, only to find that the lands on which they had settled were claimed by the avaricious landlords. Once more, therefore, they dispersed, many going northward to the Mohawk, where they formed pioneer communities of independent, democratic farmer folk.¹⁰ Pennsylvania, however, received the chief influx of foreign immigrants, and from there they spread to the colonies farther south. By 1725 thousands of German redemptioners and Scotch-Irish were pouring into the colony every year. The search for unappropriated lands carried them into the interior, where some of them bought while the rest "squatted," declaring that "it was against the laws of God and nature that so much land should lie idle while so many christians wanted it to work on and to raise their bread."¹¹ Encountering the mountain ranges, the later comers, each wave advancing beyond its predecessors, turned southward, crossed Maryland, invaded Virginia on both sides of the Blue Ridge, and occupied the piedmont of the Carolinas by the middle of the century. Swelled in volume by streams entering by way of Baltimore and the coast of Virginia and the Carolinas, this German and Scotch-Irish population with a minority of English intermingled placed itself in possession of the belt of country between the fall line and the Alleghanies, from the Mohawk to the Savannah, by the time of the outbreak of the French and Indian

⁸ Turner, "Old West," 195-196; Ballagh, J. C., "The Land System in the South," in *Amer. Hist. Assn. Report for 1897*, 110.

⁹ Germans from the Rhine Valley had played a considerable part in the colonization of Pennsylvania in the early days of Penn's experiment, but the similarity between their religious views and those of the Quakers, together with the broad tolerance of the proprietor's government, had made for a ready assimilation. Faust, A. B., *German Element in the United States*, I, 30-52.

¹⁰ *Ibid.*, I, 73 et seq.

¹¹ Ballagh, "Land System in the South," 112; Turner, "Old West," 216.

War.¹³ Throughout this region the mean annual temperature is about the same, owing to the increasing elevation as one goes southward. Soil conditions are also similar, so that the whole belt constitutes a single physiographic province suitable throughout for grain farming and stock raising.¹³ Here the settlers formed a primitive agricultural society, whose isolated farmers cultivated small tracts instead of plantations, aided by their sons and women folk instead of slaves, with subsistence in view at first rather than production for a market.¹⁴

Of all the colonies those in New England felt these differentiating influences least. Apart from a few Scotch-Irish settlers the non-English immigration touched this section but slightly, and the supervision of town planting by the theocratic governments carried along the Puritan social organization with the expanding population in a greater degree than was true of the coastal institutions of any of the colonies south of the Hudson.¹⁵ Yet the regulations which the Massachusetts Bay Company found necessary in 1631, governing the admission of freemen with the right of voting, give evidence that from the very beginning of that colony there were among the immigrants many discordant spirits whose presence furnished the elements of social cleavage.¹⁶ As in the case of Virginia, the story of the expansion of New England is the story of the geographical segregation of these inharmonious elements. The exodus to the Connecticut Valley was the first fruit of dissatisfaction with the Massachusetts order. In this case, because of the minor character of the differences, the migration merely divided the Puritan population into parts which remained essentially alike. But the religious controversies which led to the expulsion of Williams and Hutchinson gave birth to a community on Narragansett Bay of so different a type from those of Boston and Hartford as to cause its exclusion from the New England Confedera-

¹³ Faust, *German Element*, I, chaps. 5-8; Hanna, C. A., *The Scotch-Irish*, II, 60 et seq.; Greene, S. W., "Scotch-Irish in America," in *American Antiquarian Society Proceedings*, X, 32-70; Kercheval, S., *A History of the Valley of Virginia*, 45-55; Ford, H. J., *The Scotch-Irish in America*, 378-400.

¹⁴ Merriam, *Life Zones and Crop Zones of the United States*, United States Dept. of Agriculture, Division of Biological Survey, *Bulletin* No. 10, 20-24, 30-36.

¹⁵ For a fuller description of life in the back settlements, see Schaper, "Sectionalism," 317 et seq.; Bassett, "Regulators," 144-148; Roosevelt, Th., *Winning of the West*, I, 101-133; Ambler, *Sectionalism*, 12-16.

¹⁶ Osgood, *American Colonies*, I, 429. Cf. regulation of parish organization in South Carolina, below, 19.

¹⁷ *Ibid.*, I, 153-155.

tion.¹⁷ Even with the more discordant elements driven beyond her bounds, Massachusetts exhibited a movement parallel to that in Virginia, by which the frontier became the goal of that part of her people who found themselves to be out of adjustment with the life of the older parts. In a general way the impelling forces behind the movement are discernible. The relative difficulty of obtaining land, the disfranchisement of the man without property after the abolition of the religious test, and the privileged position of the Congregational Church, alike invited the ambitious and aggrieved to try their fortunes on a stage where the action was freer.¹⁸ Especially was this true after the General Court, in the second quarter of the eighteenth century, relaxed its supervision over the establishment of new towns, and even offered lands for sale to the highest bidder instead of restricting grants to groups of approved character, as in the earlier days. By these processes New England, like the southern colonies, was slowly divided into two parts, "the one coastal, and dominated by commercial interests and the established Congregational churches; the other a primitive agricultural area, democratic in principle, and with various sects."¹⁹

Antagonism was the natural result of the existence side by side of two societies so diverse as those the formation of which has been described.²⁰ There were marked differences between the Puritan commonwealths of New England and the "Cavalier" society

¹⁷ Admission of the Rhode Island settlements was refused in 1644 and again in 1648 unless they would consent to annexation by Massachusetts or Plymouth. It would seem that the ground on which Maine was excluded was equally applicable to the settlements on Narragansett Bay—"because they ran a different course from us both in their ministry and civil administration." *Ibid.*, I, 399. Rhode Island was thus a part of the Massachusetts frontier, holding much the same relation to the Bay Colony that early North Carolina held to Virginia. In the matter of religious toleration Rhode Island remained essentially "frontier," but in time it developed a commercial aristocracy, while its political system imposed the usual disabilities upon the masses, besides some which were not to be found elsewhere. In short, Rhode Island developed a social class corresponding to the dominant class in other coast regions. But its democratic element remained strong and active, as is shown by the paper money legislation of the Confederation. Dorr's Rebellion of 1842 was due to the determination of the people to endure the remnants of the old aristocratic order no longer.

¹⁸ *Ibid.*, I, 464-466. The struggles of commoners and non-commoners over undivided town lands seem to be connected with the planting of new towns on the frontier by the discontented. Cf. Turner, "Old West," 191-192.

¹⁹ *Ibid.*, 194.

²⁰ "In general this took these forms: contests between the property-holding class of the coast and the debtor class of the interior, where specie was lacking, and where paper money and a readjustment of the basis of taxation were demanded; contests over defective or unjust local government in the administration of taxes, fees, lands, and the courts; contests over unfair apportionment in the legislature, whereby the coast was able to dominate, even when its population was in the minority; contests to secure the complete separation of church and state; and, later, contests over slavery, internal improvements, and party politics in general." *Ibid.*, 221-222.

of Old Virginia and her neighbors; and these differences have become the commonplaces of historians. But it is doubtful whether the contrast between the maritime and planting colonies is any sharper than that which distinguished the seaboard from Maine to Georgia from the interior along the whole frontier line. In England Congregationalism and Episcopacy had represented polities sufficiently diverse to cause civil war; yet they had this in common in America, that both embodied the principle of union of church and state. In the interior, on the other hand, scores of sects flourished side by side on a plane of equality, tolerating one another if for no other reason than that they could not do otherwise, but making common cause against the establishments.²¹ Between the Anglican and Congregational colonies moreover there was a positive economic bond, for planting and maritime commerce were natural allies. The New England skippers found no inconsiderable portion of their cargoes in the staples of the South, dependent as the latter were upon the European market. The alliance of these interests dates back at least to the Navigation Acts of the Restoration era, and appears in many a political contest down to the period of tariff controversy in the nineteenth century.²² [The tendency of both ship-owners and planters was to depend upon foreign sources for supplies, devoting their energies to the production and marketing of the great staple crops. The joint interest of these coastal groups was quite different from that of the interior population. As the output of the farms increased beyond the needs of the occupants, the tendency was to convert the surplus into forms which could be readily marketed nearby, rather than to seek the foreign market required by the large-scale operations of the planter. So the back-country settlers became "manufacturers" in the contemporary sense of the word, supplying the coast towns with homespun cloth, smoked meats, and other products of household industry to such an extent as to affect the carrying trade.] The imports of the interior were slight, while in South Carolina, for illustration, the do-

²¹ The struggle for separation of church and state lasted about half a century, beginning in Virginia on the eve of the Revolution and culminating in Connecticut in 1818. On Virginia see James, C. F., *Documentary History of the Struggle for Religious Liberty in Virginia*. The struggle in Connecticut is an excellent illustration of the alliance of sects for the common purpose. There the Episcopalians, Baptists, and others united in the Democratic party, demanding a new constitution and complete equality of denominations. Johnston, Alexander, *Connecticut*, 352-355; Hart, Samuel, et al., eds., *Connecticut as a Colony and as a State*, 106-119.

²² Cf. votes on tariff bills in 1820 and 1824, on which the representatives of the planting and commercial regions joined in voting nay.

mestic supply of bread-stuffs and meat afforded by the opening of the piedmont farms relieved the colony of dependence upon external trade with a consequent decline in its volume and injury to the shipping interest.²³

The lack of sympathy between the coast and interior is well shown by the history of currency legislation. The interior where specie was scarce had much more need of a paper circulation on a credit basis than was felt by the more developed coast region, but the legislation of the latter showed little regard for the views and needs of the frontier. During the French and Indian Wars the legislatures provided for paper issues to be retired later. The contraction of the volume of the circulating medium which accompanied retirement was distasteful to the remote part of the population, as it interfered with the course of trade and affected the debtor class adversely.²⁴ Throughout the second half of the eighteenth century, the pioneer belt was the region of paper money agitation, and Shay's Rebellion is the classic illustration of the explosive quality of the discontent engendered by the denial of relief legislation.²⁵ To the distress which contraction caused in itself was sometimes added injustice in the means employed in redeeming the issues and in the collection of taxes. Thus in North Carolina the wealthy planters who controlled law-making threw an unfair burden in the retirement of the issues of 1760 and 1761 upon the poor farmers by laying a poll tax for the purpose.²⁶ Other taxes were payable in specie, which the back settlers could not obtain without delays which enabled grasping officials to distrain on property and sell it for personal gain, through collusion with friends.²⁷

The system of government everywhere was such as to keep the interior democracies in subordination to the coastal minorities. The settlement of the back country was welcomed by the coast as

²³ Schaper, "Sectionalism," 319. Wherever the surplus production of a farming area became great enough to create a pressure for a foreign market, the agricultural interest came into a degree of harmony with the maritime. Cf. the support of the constitution by the chief areas of surplus production. The development of the market for food-stuffs in the planting areas created a similar bond between the farmer and the planter. Neither bond was as constant as that which united the planter and ship-owner.

²⁴ Bassett, "Regulators," 154-155.

²⁵ Wildman, M. S., *Money Inflation in the United States*, 47-48.

²⁶ Bassett, "Regulators," 150, 152.

²⁷ *Ibid.*, 151.

a protection against the Indians,²⁸ but as the population increased those who were in possession of power were not inclined to risk their vested interests by recognizing the right of the inland majority to rule. The nearest approach to equality was to be found in New England. Yet even there the inland population was made up largely of those elements which had been unable to hold office or even to vote in the communities from which they had come, and in colonies where under the system of town meetings it became customary for a few influential men to hold a caucus to prearrange matters for the mass of the voters,²⁹ it would be surprising to find full recognition of the equality of rights of the frontier communities. By 1776, at any rate, some of the frontier towns were complaining of their grievances, as is shown by petitions from the New Hampshire towns in the Connecticut River Valley objecting to the lack of a fair system of representation, and to the property qualifications required of members of the council.³⁰ Farther south the new settlements were much worse off. The Carolina planters who had established their dominion east of the pine belt dared not share power with the non-slaveholding population to the westward. The same was true of the other planting colonies, and everywhere the fear of being taxed by the "Have-nots" was a bugbear to the wealthy. In Pennsylvania the great influx of foreigners, unfamiliar with English speech and governmental institutions, threatened to engulf the original stock.³¹ The dominant classes therefore took pains to perpetuate their control. In England the growth of new centers of population and the decline of old ones unaccompanied by reapportionment of representation in parliament, was producing the glaring inequities of the "rotten borough" system, and playing into the hands of the landed and mercantile aristocracy which composed the governing class. The aristocracies of the New World shaped their political affairs in accord with old-world habit, if not in conscious imitation. The ease of acquiring land in the interior

²⁸ Cf. the Massachusetts laws forbidding inhabitants of frontier towns to abandon them during the early Indian wars. Turner, F. J., "The First Official Frontier of the Massachusetts Bay," in *Colonial Society of Mass. Publications*, XVII, 250, et seq.

²⁹ Ostrogorski, M., *Democracy and the Organization of Political Parties*, II, 3-4.

³⁰ Libby, O. G., *The Geographical Distribution of the Vote of the Thirteen States on the Federal Constitution*, 1787-8, 9.

³¹ James Logan, the Governor of Pennsylvania, himself a Scotch-Irishman, exclaimed in 1725: "It looks as if Ireland were to send all her inhabitants hither; if they will continue to come, they will make themselves proprietors of the province." Quoted in Greene, "Scotch-Irish," 47. Cf. Franklin's apprehensions concerning the German immigrants: Bigelow, John, *The Complete Works of Benjamin Franklin*, II, 233-234, 296-299.

rendered ineffectual as a barrier against the frontier folk those property qualifications on the right of suffrage and office holding by which the mass of the population had from the beginning, in all of the colonies, been excluded from participation in government, and control had been retained in the hands of an aristocracy of the well-to-do.³² Several new devices were therefore invented to insure the continuation of minority rule as the center of population moved westward. In Pennsylvania, where the county was the unit of representation in the assembly (as was the case generally outside of New England), the new communities were but tardily given county organization and then allowed only from one to four representatives each, while the old counties—Philadelphia, Bucks, and Chester—the home of the “Quaker” aristocracy, enjoyed eight each. To obtain this result it was necessary to fix the apportionment arbitrarily, instead of basing it either on population or taxable wealth. In 1760, on the basis of population, the city and the western counties had fourteen members less than their proportion, as compared with Philadelphia County; while on the basis of taxation Bucks and Chester had six members more than they should have had and the city and western counties twelve less than their due.³³ Virginia safeguarded minority rule equally well by a somewhat different plan. Although her counties were quite uniformly allowed two delegates each in the lower house, the new ones in the West were made so large that the two members represented a much more numerous constituency than did the delegates from the tide-water counties.³⁴ Add to this the practice of filling county offices by appointment of the governor and council, themselves holding by royal appointment,³⁵ and it becomes evident that the political influence of the people of the interior was very small in comparison with their numbers. In South Carolina the western boundaries of the parishes (the units of representation) were for a long time left

³² At the close of the colonial period a freehold qualification prevailed in seven colonies; in the other six personal property was an alternative qualification. Typical requirements were a freehold of fifty acres or yielding an income of forty shillings per annum, or personal property valued at forty or fifty pounds. McKinley, A. E., *The Suffrage Franchise in the Thirteen English Colonies in America*, 480. In Massachusetts and Connecticut perhaps sixteen per cent. of the population were qualified electors; in Virginia and Rhode Island, nine per cent.; in New York City, eight per cent.; in rural Pennsylvania, eight per cent.; but in Philadelphia only two per cent. *Ibid.*, 487-488.

³³ Lincoln, *Revolutionary Movement*, 44-51.

³⁴ Turner, “Old West,” 224.

³⁵ “Queries from ye Lds of Trade to Sr Wm. Gooch Govr of Virginia & his Answers Abridged,” in *Virginia Magazine of History*, III, 114 et seq.

undetermined, and the inhabitants of the up-country were thus constructively represented by the members chosen on the coast.³⁶ When they took the pains to present themselves at the polling places in the eastern ends of the parishes, however, they were generally refused the right to vote.³⁷ Provision was made in 1730 by the crown for a group of new settlements in the middle portion of the colony, among the inducements offered to settlers being parish organization with representation whenever the settlement attained a population of one hundred families. In fact, however, the dominant class was able to delay parish organization until the people agreed to support a parish church of the Anglican type, and thus representation and the dominant social organization advanced *pari passu*.³⁸ The settled portion of the middle region had been provided for after this fashion before the Revolution, but the up-country had no separate representation previous to the meeting of the provincial congress of 1775. The demand for local government, meantime, was met by extending the machinery of the central government through commissions appointed by the legislature, and, finally, in 1769, by the creation of a few judicial districts each with its appointed sheriff. All writs, however, originated in and were returnable to the Charleston courts. Such as it was, this constituted the system of local government in the back settlements down to the Revolution.³⁹ Conditions in North Carolina were especially grievous. In general her scheme of governing the western settlements was like that of Virginia, but it was worse in operation because of the corruption of the county officials who exacted extortionate fees, were suspected of collecting heavier taxes than were warranted by the law, and undoubtedly failed to make honest returns to the public treasury.⁴⁰

Delays and defects in the organization of local government in the new settlements left the inhabitants without adequate government protection against the acts of the lawless. Complaints to the court at Charleston were of little avail against horse stealing in the piedmont—a common crime in the days of disorder following the French and Indian War. Owing to the large size of the coun-

³⁶ Schaper, "Sectionalism," 335.

³⁷ *Ibid.*, 335, 348.

³⁸ *Ibid.*, 329.

³⁹ *Ibid.*, 331, 338.

⁴⁰ Bassett, "Regulators," 148, 152-154. See also "Documents concerning the origin of the Regulation movement," in *Amer. Hist. Rev.*, XXI, 320-332.

ties, inhabitants of Virginia sometimes lived thirty or forty miles from the parish church or county court house.⁴¹ Conditions in Pennsylvania were similar. For the payment of taxes, the transaction of business connected with land titles, or the prosecution of suits, long and difficult journeys were the customary fortune of the people of the interior.

The population which found itself burdened with so many disabilities was not of a type to accept an inferior status meekly. The Calvinism of the Scotch-Irish Presbyterians and of many of the German sects tended towards political equality, as had been shown in earlier times. Even under the weight of a political system which had the rigidity of many centuries' growth, the democracy inherent in creeds which taught the equality of men before God and the ecclesiastical supremacy of the organized group of believers had produced an abortive "Commonwealth" in seventeenth century England. A long stride was taken towards modern democracy when the Puritans transplanted their religion to New England, where it enjoyed right of way unhampered by the established polity of an old country.⁴² But the "Bible Commonwealth" of Massachusetts developed a rigidity all its own, which showed that it was still akin to the old-world system, and democracy first worked itself free from the incubus of European tradition upon the frontier. Indeed, the frontier was the natural birthplace of democracy. The actual equality of men under primitive conditions of life inevitably begot the ideal of political equality. Like castaways upon a desert island, the backwoodsmen forgot those artificial distinctions which had no correspondence with the facts of their life. While weary France was hearing the first faint prophecy of revolution in the back-to-nature call of the philosophers of the *ancien régime*, the American frontier was making a reality of Rousseau's dream.⁴³ The new settlements hardly needed to be taught the philosophy of the rights of man which was about to play so great a part in revolutions on both sides of the Atlantic. During the contest with the mother country the united colonies not only adapted

⁴¹ Turner, "Old West," 224. Cf. conditions in South Carolina as presented in the petition of the Calhouns and others: Schaper, "Sectionalism," 335.

⁴² Borgeaud, Charles, *The Rise of Modern Democracy*.

⁴³ Rousseau's *Discours sur les arts et les sciences* was published in 1749. It lauded the "state of nature" as the happiest state of man. It was this essay which Voltaire said made him wish to go upon "all-fours." The *Contrat Social*, which followed after a dozen years, and was the work which most influenced the French Revolution, stressed the absolute and inalienable sovereignty of the people.

Locke's philosophy to their own purposes in the declaration of independence, but the frontier offered its own elaboration of the Englishman's thought in the "squatter sovereignty" doctrine of Jefferson: the free inhabitants of the British dominions who colonized America "possessed a right which nature has given to all men, of departing from the country in which chance, not choice, has placed them; of going in quest of new habitations, and of there establishing new societies, under such laws and regulations as to them shall seem most likely to promote public happiness."⁴⁴

Men of such ideals would not brook the unfair control of the coast. And yet this control was in most respects merely nominal. Although deprived of local government in the legal sense and allowed but little participation in general legislation in their respective provinces, the frontiersmen none the less regulated the greater part of the concerns of their everyday lives. This liberty and self-reliance made them the more impatient at the shortcomings and injustices of the legal authorities. Bacon's Rebellion has already been alluded to as an evidence of the early discontent of the Virginia frontier, the trouble being started in that historic episode by Bacon's taking matters into his own hands and proceeding against the Indians without the commission of the authorities. After the French and Indian War, the dissatisfaction of the interior found expression in numerous petitions complaining of the lack of adequate local government, of the remoteness of the courts and churches, and of the inequities in the systems of taxation and representation.⁴⁵ But, characteristically, the aggrieved men did not await the slow and uncertain action of government in matters which they could deal with themselves, and where the machinery of government proved ineffectual to check lawlessness, as in South Carolina, organized bands of "regulators" dealt summarily with the offenders. Such initiative was mistaken by the eastern gentry for mob violence, and served to heighten the mutual distrust of the

⁴⁴ Jefferson, T., *A Summary View of the rights of British America*, reprinted in *American History Leaflet*, No. 11. Revised form in Ford, P. L., *Writings of Thomas Jefferson*, I, 427.

⁴⁵ The South Carolinians repeatedly petitioned for local government and representation between 1752 and 1770. Notable among these petitions was one of 1768, signed by the Calhouns and others, asking for proper division of the parishes, for courts, schools, churches, and the rights of British subjects. They complained that they were 200 miles from the parish church. The memorial was referred to a committee, which reported that three-fourths of the white population of the colony was in the back settlements, and recommended the organization of new parishes with representation. No action followed. Schaper, "Sectionalism," 335. In 1764 the Pennsylvania frontiersmen made similar demands, including an equitable adjustment of apportionment. Hanna, *Scotch-Irish*, I, 63. For Virginia see Ambler, *Sectionalism*, 4-5.

upland and tidewater.⁴⁶ In North Carolina the regulation movement took the form of an attack upon the abuses in the tax and fee systems, and brought the democracy into a contest with the governing class which ended in armed conflict.⁴⁷ In Virginia the democracy found its leaders in men of some social standing but of western birth, under whom it began to undermine the foundations of the aristocracy by its attacks upon the church establishment and the system of primogeniture and entail.⁴⁸

2. THE REVOLUTIONARY PERIOD

Thus at the opening of the Revolutionary era a well-defined contest was in progress between the coast and the interior, the former representing the minority who wished to maintain the *status quo* in industry and government, and the latter the cause of the people. In its early stages this contest was a struggle of the back settlers of each colony against the dominant class ~~—a series of isolated contests,~~ for it was a time when intercolonial relations were still slight. But the common characteristics of the frontier throughout its extent and the similarity of the grievances complained of by the frontiersmen everywhere were a prophecy of cleavage on a continental scale in the days of national unification. The Revolution, indeed, afforded occasion for the first interprovincial alignment—Whigs and Loyalists—but the issues arising from British relations served to obscure somewhat the workings of the older antagonisms, although the revolutionary movement is itself a phase of the contest which we are tracing.⁴⁹ The essays written in defence of colonial rights were filled with a philosophy of popular government which was equally hostile to the British system of administration and to the domination of the provincial aristocracies. The Whig philosophy fell in exactly with the ideals of the frontier democracy, and the Revolution and the democratic movement be-

⁴⁶ Schaper, "Sectionalism," 334-336. It was the regulation movement which led to the division of the up-country into judicial districts. Above, 19.

⁴⁷ Bassett, "Regulators."

⁴⁸ Ambler, *Sectionalism*, 5, 32-41; Hunt, in *Amer. Hist. Assn. Report for 1901*, I, 163-171; James, *Documentary Hist.*

⁴⁹ To some extent the former antagonists made common cause in the Revolution, yet where popular leaders headed the movement against England, as in Pennsylvania, the aristocrats tended towards Toryism, while the reverse was true where the aristocrats led, as in North Carolina; there many of the Regulators became Loyalists. These facts in themselves indicate that the old antagonism cut deeper than the issue between the colonies and England.

came identified in no small measure.⁵⁰ The frontier farmers found allies in the hitherto disfranchised classes in the coast towns, who suddenly became of political weight through the frequent resort to mass meetings and other extra-legal organs representing the whole people.⁵¹ The latitude of the Continental Congress in admitting state delegates appointed by such irregular bodies, and in recommending the "assemblies and conventions" in states "where no government sufficient to the exigencies of their affairs hath been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents," gave aid and comfort to the cause of democracy.⁵² New leaders arose who relied upon the people in carrying forward the patriot cause; aristocrats ceased to attend meetings where they were "sure to be outvoted by men of the lowest order;" while the Pendletons and Randolphs and Galloways doubted whether insurgent radicalism were not a graver danger than British rule.⁵³ In Pennsylvania the reluctance of the moderates like Dickinson, Morris, and Wilson, to resort to extreme measures against England served to throw control into the hands of the radicals who led the Scotch-Irish and German democracy of the inland counties and the Philadelphia proletariat, and to deprive the moderates of influence in framing the first state constitution. The result was a most democratic scheme of government, drawn up by the radicals with the support of solid delegations from the western counties.⁵⁴ In South Carolina the revolutionary movement was inaugurated in Charleston by means of

⁵⁰ "With the intense preaching of majority rule and the emphasis placed on the individual . . . the arguments which had been used against English misrule were turned against minority control and misgovernment . . . and a colonial revolution accompanied and supported the international movement." Lincoln, *Revolutionary Movement*, 13-14. What was true of Pennsylvania was true in a measure throughout the colonies.

⁵¹ Beard treats the proletariat of the towns as politically non-existent in the period of the framing of the constitution. *Economic Interpretation of the Constitution*, 24-26. The fact shows how the popular cause miscarried in the Revolution, for their influence was marked in the earlier period. See Lincoln, *Revolutionary Movement*, 159-180 *et passim*; Schaper, "Sectionalism," 357; Becker, *Political Parties*, 275 *et passim*. In a contest for equal political rights the working class of the towns was the natural ally of the farmer, but the dependent position of the employees tended to tie them to their employers. Cf. the support of the constitution by the Boston mechanics, whose economic welfare was involved in the prosperity of shipping. Bradford, A., *History of Massachusetts*, III, 22.

⁵² Resolution of May 15, 1776. *Journals of the Continental Congress* (L. C. edn.), IV, 342, 358. Cf. resolution of Nov. 4, 1775: "That if the Convention of South Carolina shall find it necessary to establish a form of government in that colony, it be recommended to that Convention to call a full and free representation of the people." [Italics mine.] *Id.*, III, 326.

⁵³ Becker, C. L., *Beginnings of the American People*, 243-245; Ambler, *Sectionalism*, 17-27.

⁵⁴ Lincoln, *Revolutionary Movement*, 277 *et seq.*

mass meetings in which the popular element controlled. A general committee chosen by the mass meeting summoned the Provincial Congress of 1775, because it felt the need of the support of a body representing the entire colony. In this body the back settlements as such were for the first time allowed representation.⁵⁵ In New York likewise and probably elsewhere the influence of the unfranchised was considerable in the early stages of the Revolution, while extra-legal machinery was being made use of to perfect the Whig organization.⁵⁶

But the promise of a great forward movement towards democracy in government and equal rights for the inland population was hardly fulfilled by the outcome of the Revolution. The forces of conservatism were too strongly entrenched and too many of the Whig leaders were conservatives. "The liberty for which they had fought . . . was the sober, intelligent, fearless liberty of our English ancestors," not the rule of "King Numbers."⁵⁷ The advance towards popular government which the period brought may be measured by comparing the provisions of the state constitutions adopted during the war with the arrangements obtaining in the several provinces immediately preceding the struggle. The acceptance of democratic theory is notable. But bills of rights, declarations that the people are sovereign, and expositions of the compact theory do not hide the fact that the chief change in practice is the substitution of the authority of the assembly for that of the crown, while the assembly represents a constituency not much changed, taking the country as a whole, by extensions of the franchise or reforms in the apportionment of representation. For example, the Virginia constitution of 1776 was a compromise in which the bill of rights, drawn by Mason, the leader of the interior, represented the frontier contribution. Its principles "were those which Henry had instilled into the minds of the frontier people; they were the principles which had mastered the minds of Jefferson and Madison."⁵⁸ But in the working provisions of the instrument the conservatives triumphed. While the upper house became elective, the right of suffrage in the election of members of both houses re-

⁵⁵ Schaper, "Sectionalism," 357-359.

⁵⁶ Becker, *Political Parties*, 275 et passim.

⁵⁷ Lodge, H. C., *Life of George Cabot*, 421. "Families like the Otises who joined the patriot cause abandoned none of their conservative principles. They fought for independence from Great Britain, not independence from government and social restraint."—Morrison, S. E., *Life of Harrison Gray Otis*, I, 49.

⁵⁸ Ambler, *Sectionalism*, 28.

mained as before, and there was no provision for uniformity in the size of the county units of representation, for reapportionment, for extension of the suffrage, for election of local officials, or even for amendment.⁵⁰ Jefferson, in his *Notes on Virginia*, written a few years later, pointed out that under the apportionment of 1780 nineteen thousand men living below the falls of the rivers "give law to upwards of thirty thousand living in" other parts of the state, "and appoint all their chief officers, executive and judiciary."⁵¹ In New Jersey the right to vote had been limited to freeholders before the Revolution, while the new constitution granted it to all inhabitants who were "worth fifty pounds proclamation money."⁵² In South Carolina, where the recognition of the interior in the provincial congress of 1775 gave some promise of redress of grievances, only forty members in a total of 184 were allowed to the up-country, although it had the majority of the white population; and the planters manipulated the elections so skilfully that "influential gentlemen" of English blood were chosen in every instance, no Scotch-Irish or German name appearing on the list of delegates.⁵³ The temporary constitution of 1776 allowed eighteen additional members to the upland, but the suffrage requirement remained unchanged, except for the additional qualification that the requisite amount of property must be possessed debt-free. Two years later the property restrictions were slightly reduced, and, probably under the influence of current political philosophy, a fair promise was given that a new apportionment should be made periodically, "according to the particular and comparative strength and taxable property of the different parts"—a promise the fulfillment of which was long delayed.⁵⁴

The political philosophy of the Revolution is nowhere better set forth than in the Massachusetts constitution of 1780: "The body politic is formed by a voluntary Association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each with the whole people, that all shall be gov-

⁵⁰ Poore, B. P., *The Federal and State Constitutions, Colonial Charters, and other Organic Laws of the United States*, II, 1910-1912; Ambler, *Sectionalism*, 80. Cf. the democratic provisions of Jefferson's draft constitution of this year, covering inheritance, land holding, suffrage, apportionment, amendment of the constitution, and religious liberty; Ford, *Writings of Jefferson*, II, 7. See discussion of this draft by Ford in the *Nation* for August 7, 1890, and by D. R. Anderson in *Amer. Hist. Rev.*, XXI, 750-754.

⁵¹ Ford, *Writings of T. J.*, III, 223.

⁵² Art. IV. Poore, *Constitutions*, II, 1311.

⁵³ Schaper, "Sectionalism," 357-359.

⁵⁴ *Ibid.*, 365, 367-369.

earned by certain laws for the common good." ⁶⁴ "The people alone have an incontestible, unalienable, and indefeasible right to institute government, and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it." ⁶⁵ Yet the clause covering suffrage restricts the right to vote to owners of a freehold of the annual value of three pounds, or other estate worth sixty pounds. ⁶⁶ The New York constitution, drafted by John Jay, "was a special adaptation of the provincial government, with as few modifications as the circumstances required." ⁶⁷ The preamble recited that "All power whatever [in the state] hath reverted to the people thereof," from whom alone, according to section one, authority is derived; ⁶⁸ but the freehold qualifications for voting and office-holding were retained, ⁶⁹ for it was "a favorite maxim with Mr. Jay, that those who own the country ought to govern it." ⁷⁰ There was no provision for amendment, and Jay congratulated himself that the conservatives had succeeded in providing a "measurably centralized and measurably aristocratic" government. ⁷¹ Even in Pennsylvania, following the democratic triumph of 1776, the conservatives carried on a campaign for constitutional revision so successfully that a modified constitution was adopted in 1790 "after a decade of personal and party

⁶⁴ Preamble, Poore, *Constitutions*, I, 956-957.

⁶⁵ Part I, Art. VII. *Ibid.*, I, 958.

⁶⁶ Part II, Chap. I, Sec. 2, Art. II; Sec. 3, Art. IV. *Ibid.* The draft constitution of 1778 had been rejected by the voters in town meetings chiefly because of the lack of a bill of rights which should "describe the Natural Rights of Man as he inherits them from the Great Parents of Nature, distinguishing those, the Controul of which he may part with to Society for Social Benefits from those he cannot;" for lack of any mode of amendment; and for inequalities in the apportionment of representation. (Cf. grievances of back country of New England, above, 14.) Cushing, H. A. *History of the Transition from Provincial to Commonwealth Government in Massachusetts*, 216, 219 (in *Columbia University Studies*, VII). The best critique of the draft of 1778 was the so-called "Essex Result," which set forth the principles of government on which the constitution of 1780 was later based. It was an admirable statement of the political philosophy of the Revolutionary period, yet it held that the law-making majority should include those "who possess a major part of the property in the state." *Ibid.*, 223-224. In framing the constitution of 1780, the draft, including the bill of rights, was made by John Adams. In the committee of which he was a member he was supported by Bowdoin, Cushing, Parsons, and others, but opposed at some points by "divers members . . . who wished for what was termed a more popular government"—probably a reference to Samuel Adams. *Ibid.*, 235, and *f. n.* On John Adams, see below, 35, *f. n.* 103.

⁶⁷ Pellet, G., *John Jay*, 69.

⁶⁸ Poore, *Constitutions*, II, 1332.

⁶⁹ Sec. VII; *ibid.*, 1334.

⁷⁰ Jay, William, *The Life of John Jay*, I, 70.

⁷¹ Becker, *Political Parties*, 275, 276, *et passim*. The phrase is Becker's.

struggles hardly equalled for intensity and bitterness in any period of our national or local history."¹²

In brief, in the contest between aristocracy and democracy, the coast and the interior, in the Revolutionary period, the old order held its own. The peace with England rather intensified than healed the domestic discord, by eliminating questions which had confused the main issue, and the people of the interior continued their contest for equal rights under the government of the United States. By 1784 the upland party in South Carolina was pressing for a reapportionment as promised by the constitution of 1778. They succeeded in bringing about the meeting of a convention in which they urged the doctrines of Locke and the French philosophers in support of the demand for equal representation; but the low country was represented on the same basis as that which prevailed in the existing legislature, and thus was able to prevent any real reform in the constitution of 1790.¹³ Not until 1808, when the expansion of the plantation economy foreshadowed the extinction of the old sectionalism within the state, did the low country party agree to surrender control of the lower house to the up-country majority, now no longer dangerous.¹⁴ A solution was not so easily reached in Virginia; in fact, the discordant eastern and western portions of that state remained unequally yoked together until the Civil War. In New York, Massachusetts, and elsewhere, the advent of manhood suffrage was delayed until well along in the nineteenth century.¹⁵

But the further history of sectional struggles within the states does not concern us, for our purpose has been to show that the two rival societies which had developed in the several colonies formed the basis of the first party divisions on a continental scale.

3. RISE OF THE FEDERALIST AND REPUBLICAN PARTIES

The period of the Confederation saw a renewal of the demand for paper money issues. The small farmers had suffered greatly from the war, and at its close found themselves a debtor class at a time when the drainage of specie in payment of foreign trade

¹² Lincoln, *Revolutionary Movement*, 287. See Cushing, 247 et seq., foot notes, for extracts from state constitutions relative to compact theory, etc.

¹³ Schaper, "Sectionalism," 369-379.

¹⁴ *Ibid.*, 407-437.

¹⁵ See sketch of the progress of constitutional revision by states in McMaster, J. B., *History of the People of the United States*, V, 373-394.

balances caused sharp alterations in the value of money and the burdens of debt. The paper money party was especially strong in the interior, as usual, where specie was always scarce, and where the people identified their creditors with the class which had so long dominated in government—the coastal merchants, planters, and money-lenders, with their friends the lawyers and judges. Along with the contest for political rights, therefore, went a struggle for relief laws, the denial of which embittered the farmer of the Berkshires towards his oppressors as much as unjust apportionment did his southern brother. The excesses of the paper money party were sporadic and it was without interstate organization, but the outbreaks were symptoms of a popular disregard for property rights, which, in a time of relaxed respect for authority, due to the war and the philosophy by which it was justified, was to the conservatives one of the most alarming aspects of that critical period.⁷⁶ The prevalent “excess of democracy” was one of the important factors, therefore, in shaping opinion in favor of a “more perfect union;” the movement for the constitution was the work of conservative reactionaries. “Their creed,” wrote Henry Knox to Washington, speaking of the Shays rebels, “is, that the property of the United States has been protected from the confiscation of Britain by the joint exertions of *all*; and therefore ought to be the *common property of all*; and he that attempts opposition to this creed, is an enemy to equity and justice, and ought to be swept from off the face of the earth.” “They are determined to annihilate all debts, public and private, and have agrarian laws, which are easily affected by the means of unfunded paper money, which shall be a tender in all cases whatever.”⁷⁷ At which Washington exclaimed: “What stronger evidence can be given of the want of energy in our government, than these disorders? If there is not power in it to check them, what security has a man for life, liberty, or property? The consequences of a lax or inefficient government are too obvious to be dwelt upon. Thirteen sovereignties pulling against each other, and all tugging at the federal head, will soon bring ruin on the whole; whereas a liberal and energetic constitution, well guarded and closely watched to prevent encroachments, might restore us to that degree of respectability and consequence, to which

⁷⁶ See the discussion by McLaughlin, A. C., *The Confederation and the Constitution*, 138-167.

⁷⁷ Quoted by Washington in letter to Madison, Nov. 5, 1786. Ford, W. C., *Writings of George Washington*, XI, 81.

we had a fair claim and the brightest prospect of attaining." ⁷⁸ Washington desired a new government, moreover, in order that the national character might be retrieved through just provisions for the public creditors.

The paths which led from the Articles to the Constitution were doubtless several. There was, indeed, the influence of those great and unselfish minds who regarded the fact that the honor and safety of all were endangered by the weakness of the union; but very potent also was the growing conviction of the ruling class that the protection of commerce, the payment of the public debt, and the enforcement of the obligation of contracts, in all of which its interests were peculiarly great, could be secured only by the establishment of a government vested with plenary power over commerce and revenue, and able, through limitations on the powers of states, to impose checks upon the license of the radicals. "I conceive," said Fisher Ames, in the light of his experience in the Massachusetts ratifying convention, "that the present Constitution was dictated by commercial necessity more than any other cause." ⁷⁹ Hamilton attributed much to the influence of the holders of the public paper. "The public creditors, who consisted of various descriptions of men, a large proportion of them very meritorious and very influential," he declared after the establishment of the new government, "had had a considerable agency in promoting the adoption of the new Constitution, for this peculiar reason, among the many weighty reasons which were common to them as citizens and proprietors, that it exhibited the prospect of a government able to do justice to their claims." ⁸⁰ And of the conservative class in general he adds: "There was also another class of men, and a very weighty one, who had had great share in the establishment of the Constitution, who though not personally interested in the debt, considered maxims of public credit as of the essence of good government, as intimately connected by the analogy and sympathy of principles with the security of property in general, and as forming an inseparable portion of the great system of political order." ⁸¹

The convention which framed the Constitution was composed almost wholly of friends of the movement, chosen by legislatures

⁷⁸ *Ibid.*

⁷⁹ Quoted by Beard, C. A., *Economic Origins of Jeffersonian Democracy*, 7.

⁸⁰ *Ibid.*, 5-6.

⁸¹ *Ibid.*

which represented property owners. The issue of a convention had not been before the voters in the legislative elections, and the intelligence and influence of the promoters procured the selection of delegates almost exclusively representative of the planting, mercantile, professional, and other wealthy groups of the seaboard.⁸² "Not one member represented in his immediate personal economic interests the small farming or mechanic classes."⁸³ Naturally a body so constituted provided for a national government similar to those which their class had already set up in the states. One would not expect to find that in such a body any proposal was made to give a share in the new government to portions of the population not already enfranchised in the separate states. A few members, notably Wilson and Madison, would have extended the functions of the voters so far as to include the election of president and senators, as well as members of the lower house,⁸⁴ but the prevailing sentiment favored limitations upon the mass of voters such as were already in effect in the states. The provisions for the election of senators by state legislatures and of the president by an electoral college are familiar illustrations of the aristocratic temper of the fathers of the constitution. Even Mason, who as leader of the interior democracy had framed the Virginia bill of rights a few years before, joined in approval of these devices. He believed that "one important object in constituting the senate was to secure the rights of property," and supported a term of six years and a property qualification to give the members of the upper branch due weight.⁸⁵ "He conceived it would be as unnatural to refer the choice of a proper character for Chief Magistrate to the people, as it would, to refer a trial of colors to a blind man."⁸⁶ Some of the members considered popular choice even of the lower house as too democratic. Thus Sherman insisted that "the people should have as little to do as may be about the government immediately.

⁸² Beard, *Economic Interpretation*, 71-72. Cf. the contemporary interpretation of the movement for the constitution, in letter of the French Minister Otto to Vergennes, Oct. 10, 1786: Bancroft, G., *History of the Formation of the Constitution of the United States*, II, App., 399-401; reprinted in Hart, A. B., *American History told by Contemporaries*, III, 185-187.

⁸³ Beard, *Economic Interpretation*, 149.

⁸⁴ Farrand, Max, *Records of the Federal Convention of 1787*, I, 68, 154; II, 56, 111.

⁸⁵ *Ibid.*, I, 428. Cf. Madison, 421-428.

⁸⁶ *Ibid.*, II, 81.

They want information and are constantly liable to be misled."⁸⁷ Gerry, Charles Pinckney, and others expressed similar views.⁸⁸

This distrust of the people was not expressed with reference to the disfranchised class, but to the farmers and other owners of small properties who belonged to the voting class. The more liberal members believed that the qualified electorate was a sufficient safeguard of the public interest,⁸⁹ but many desired to impose qualifications upon office holders as well. The convention voted in favor of the principle but was unable to agree upon a statement of the provision.⁹⁰ However, the choice of senators by state legislatures was felt to be an indirect guaranty of an upper house composed of men of wealth, which was the general desire;⁹¹ while the adoption of the electoral system provided assurance of conservative action in the choice of the executive.⁹² In providing for a

⁸⁷ *Ibid.*, I, 48.

⁸⁸ *Ibid.*, I, 48, 137. Cf. Mercer, 205, 216. Antagonism to the agrarian class appears in Pinckney's utterance: "An election of either branch by the people scattered as they are in many States, particularly in S. Carolina was totally impracticable. He differed from gentlemen who thought that a choice by the people wd. be a better guard agst. bad measures, than by the Legislatures. A majority of the people in S. Carolina were notoriously for paper money as a legal tender; the Legislature had refused to make it a legal tender. The reason was that the latter had some sense of character."

⁸⁹ Cf. Dickinson's objection to property qualifications for office holding: "The best defence lay in the freeholders who were to elect the Legislature. Whilst this Source should remain pure, the public interest would be safe. . . . It seemed improper that any man of merit should be subjected to disabilities in a Republic where merit was understood to form the great title to public trust, honors & rewards." *Ibid.*, II, 123.

⁹⁰ On July 26 Mason moved "that the Committee of detail be instructed to receive a clause requiring certain qualifications of landed property & citizenship in members of the Legislature." *Ibid.*, II, 121. Mr. Pinckney seconded the motion. Mr. Pinckney and General Pinckney moved to insert the words "Judiciary & Executive so as to extend the qualifications to those departments which was agreed to nem con." *Ibid.*, II, 122. A discussion followed concerning the propriety of requiring landed property, and the word "landed" was stricken out by a vote of ten states to one. 124. Mason's motion as amended was then carried, Ayes 8, noes 3. 125. The Committee encountered difficulties (249), and in Art. VI, Sec. 2 of its report left the whole matter with Congress: "The Legislature of the United States shall have authority to establish such uniform qualifications of the members of each House, with regard to property as to the said Legislature shall seem expedient." 179. This proved unsatisfactory to the convention, but efforts to improve upon it failed, and the whole section was lost by a vote of 8 to 7. 251.

⁹¹ Cf., e. g., Dickinson, *ibid.*, I, 150; Gerry, 152; Mason, 428.

⁹² Many thought that there should be specific provision to insure that judges and executive should be men of property. Cf. note 90, motion of the Pinckneys. Mr. Pinckney thought the president should possess an unencumbered estate of not less than one hundred thousand dollars value, and each judge not less than half as much, and moved that each official should be required to swear that he possessed such an estate as might be provided in the constitution for his office. The motion was opposed by Ellsworth because of the impropriety of fixed and uniform requirements, and by Franklin on the liberal ground that riches do not guarantee character, and that the constitution ought not to betray a great partiality to the rich. *Ibid.*, II, 246-251. Which argument was the more effective cause of the loss of the motion can only be conjectured.

"popular" lower branch of the legislature, the usual limitations on the suffrage were imposed indirectly by the provision that "the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature."⁸⁸ Gouverneur Morris voiced a common opinion in the convention when he said that "property was the main object of society,"⁸⁴ and it would appear that even the provision for representation in the lower house in proportion to population was in the minds of some acceptable chiefly because population seemed to be the most convenient measure of the relative wealth of states.⁸⁵ On this principle of basing apportionment upon wealth rather than people an influential minority wished to have a scheme adopted which would give the original states a permanent preponderance over the new states of the interior, after the model of the practice of the old seaboard aristocracies.⁸⁶

As in the state constitutions, however, members were willing to grant some recognition to democratic theory, as appears in the provision for ratification of the constitution in popular conventions; that is, conventions representative of the voters. Declaring that the legislatures had no power to ratify, Mason asked: "Whither, then, must we resort?" and answered his own question by saying: "To the people, with whom all power remains that has

⁸⁸ Constitution, Art. I, Sec. 2. In discussing the report of the Committee of Detail, G. Morris proposed a restriction of the suffrage to freeholders. The fact that owners of other kinds of property enjoyed the franchise in some states, and regard for the prerogative of states in regulating the suffrage, defeated the proposal. *Ibid.*, II, 201-206. Mason opposed the motion on the ground that the predilection for the freehold qualification was a British tradition. "We all feel too strongly the remains of ancient prejudices, and view things too much through a British Medium. . . . Does no other kind of property but land evidence a common interest in the proprietor?" *Ibid.*, 208. Note the tendency of the western leader to desire an American order.

⁸⁴ *Ibid.*, I, 533.

⁸⁵ Cf. Mason's statement below, 48. See the discussion of the basis of apportionment on July 12, especially statement of Wilson: "Less umbrage would perhaps be taken agst. an admission of slaves into the Rule of representation, if it should be so expressed as to make them indirectly only an ingredient in the rule, by saying that they should enter into the rule of taxation: and as representation was to be according to taxation [*italics mine*], the end would be equally attained." *Ibid.*, I, 595. This suggestion paved the way for the "three-fifths compromise;" i. e., population, including three-fifths of the slaves, was accepted as the measure of the relative wealth and tax-paying ability of the states, and representation was to be allowed in the lower house in proportion to wealth and tax contributions. This was in harmony with the original proposal in the Virginia plan, Resolution 2: "The rights of suffrage in the National Legislature ought to be proportioned to the Quotas of Contribution, or to the number of free inhabitants." *Ibid.*, I, 20. With the addition of the slaves the compromise met both alternatives.

⁸⁶ See below, 46 et seq.

not been given up in the constitutions derived from them."⁹⁷ Madison also held that only ratification by the people could give the new system validity.⁹⁸ But there is no ground for the view that by "the people" any member had in mind any one except the voters; and the contention of Republican writers a few years later, based on such recognition of the sovereignty of the people as has been mentioned, that the constitution was intended to be a democratic instrument of government, was a case of the loose application to that document of terms which properly implied political doctrines very different from those which it embodied.

It may now be perceived that the opening of the constitutional era found the train well laid for political divisions coinciding in the main with the old economic and geographical divergences. The friends of the constitution were the owners of public securities, of shops and ships, of interest-bearing investments of all kinds, of plantations and farms producing crops which depended upon commerce for a market, and of personalty in slaves. They dwelt mostly near the seaboard, composed the class which had long dominated politically, and still clung to aristocratic theories of government. The vast majority of the antifederalists were small farmers, who composed the bulk of the democratic debtor class, dwelt inland, and, for both political and economic reasons, regarded the seaboard aristocrats with jealousy and distrust. The contest over the framing and adoption of the constitution was, then, an episode in the conflict between the two opposing groups the formation of which we have traced, and the effect of its adoption was to secure for the old governing class, on the scale of the nation (so long as it could control the administration of the government) much the same sort of dominance which it had so long enjoyed in the states. Of the continuity of the Federalist and Republican parties with the old divisions little need be said. That they were not identical

⁹⁷ *Ibid.*, II, 88. The practical problem of framing an instrument which would be likely to win the approving vote of constituent bodies in which the agrarian interest would possess considerable strength confronted the convention constantly, and tended to tone down the aristocracy of its provisions. Cf. the necessity of making a second effort at constitution framing in Massachusetts, largely for lack of "popular" features in the draft of 1778. *Above*, 26, *f. n.* 66. The sincerity of Adams, Mason, Madison, and others, in their profession of the compact theory and belief in the sovereignty of the people is hardly to be doubted. Cf. the declaration of Adams: "The right of the people to establish such a government as they please, will ever be defended by me, whether they choose wisely or foolishly." Letter to Francis Dana, Aug. 16, 1776, quoted by Cushing, *Transaction*, 199. But it was the work of practical statesmanship to secure the popular acceptance of instruments of government which would also embody the views of the conservatives. At this the constitution makers of the period were astonishingly successful.

⁹⁸ Farrand, *Records*, II, 92-93, 476.

in every respect is readily conceded, but the political philosophy and practical programs of the leaders of the respective parties were those of the seaboard interest on the one hand and the interior agrarian population on the other.⁹⁹

For our purpose, sufficient insight into Hamilton's philosophy of government is given by his speech in the constitutional convention on June 18. "All communities divide themselves," he said, "into the few and the many. The first are the rich and well born, the other the mass of the people. The voice of the people has been said to be the voice of God; and however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changing; they seldom judge or determine right. Give therefore to the first class a distinct, permanent share in the government. They will check the unsteadiness of the second, and as they cannot receive any advantage by a change, they therefore will ever maintain good government. Can a democratic assembly who annually revolve in the mass of the people, be supposed steadily to pursue the public good? Nothing but a permanent body can check the imprudence of democracy."¹⁰⁰ While thus betraying his lack of confidence in the people at large, Hamilton did not advocate their exclusion from government and its monopolization by the "rich and well born." "Give all power to the many, they will oppress the few. Give all power to the few, they will oppress the many. Both, therefore, ought to have the power, that each may defend itself against the other."¹⁰¹ "In his private opinion . . . the British Government was the best in the world; and he doubted much whether anything short of it would do in America."¹⁰² While entertaining no hope of the adoption of his ideas, he believed that a proper government should provide for a senate and executive holding during good behavior and chosen by the electoral system instead of by the voters directly. His measures spoke even more loudly than his words. As secretary of the treasury under Wash-

⁹⁹ Cf. Libby, *Geographical Distribution*, and Beard, *Economic Interpretation*. The degree of continuity between the parties of the constitutional period and the friends and opponents respectively of the constitution, is studied in Beard, *Origins*, with perhaps undue emphasis on the continuity. Beard also stresses the economic conflict and neglects the geographical aspects with which the present writer is especially concerned. For criticism of Beard's position see review by Libby in the *Mississippi Valley Historical Review*, III, 99. Libby minimizes the continuity. For fuller statement of Libby's view, see "A Sketch of the Early Political Parties in the United States," in *Quarterly Journal of the University of North Dakota*, II, 205-242.

¹⁰⁰ Farrand, *Records*, I, 299, et seq.

¹⁰¹ *Ibid.*, I, 282-298.

¹⁰² *Ibid.*

ington, and the leading spirit in the administration, his whole scheme of practical politics centered in his fiscal system, which favored the moneyed interests and allied the government with the financiers, merchants, manufacturers, and speculators. These were an influential portion of the party which had established the constitution, and Hamilton's creed embraced no hope of successful government apart from their active support. They were the rich and well born whose influence was essential to check the unsteadiness of the mass of the people. Under his guiding genius, therefore, the Federalist party became the party of the great majority of the old ruling class, especially in the North.

Hamilton was eminently a practical rather than a philosophical statesman. It was John Adams, his chief rival within the party, who essayed the role of political philosopher. With wearisome refinement of detail he worked out the theory which the Federalist leaders agreed, with minor variations, in holding. Society invariably divides into classes, of which the rich, well born, and able constitute a natural aristocracy. As the classes invariably contend for dominance, the desideratum in government is such a representation of classes as will establish a balance. As the aristocratic element represents stability and the other classes the more turbulent factor, the poor as well as the rich would be best off under a system by which substantial control remained in the hands of the propertied few. The benefits of order and security would then be diffused throughout the whole. "Give the property and liberty of the rich a security in the senate, against the encroachments of the poor in a popular assembly," and erect an independent executive with a long term to mediate between them, with an independent judiciary, removable only by joint consent of senate and assembly, to check both legislature and executive. The nearest approach to the ideal government Adams finds, like Hamilton, in the English constitution. "The English constitution is the only one which has considered and provided for all cases that are known to have generally, indeed to have always, happened in the progress of every nation; it is, therefore, the only scientific government." The Federalists showed small faith that America would succeed in improving greatly upon European models.¹⁰⁸

¹⁰⁸ See Beard, *Economic Origins*, Chap. 11, for a sketch of the political economy of John Adams. A fuller study of Adams's opinions is made in Walsh, C. M., *The Political Science of John Adams*. For views of other Federalists and discussion of their debt to the thought of Adams, especially in the period of the Federal Convention, see *Ibid.*, 304 et seq.; also 285 et. seq.

The unification of the Federalist party during the discussion of Hamilton's financial system precipitated a like movement among those who opposed his measures. These found their prophet and organizer in Jefferson. If Hamilton incarnated the spirit of that coastal order which derived its political creed from the Old World, Jefferson personified no less the spirit of that New World which contemned European tradition and had faith in an American order. Born himself on the Virginian frontier, his philosophy of the state was permanently influenced by his boyhood environment. The tendencies thus early imparted to his thought must have coincided remarkably with the impressions received from his later studies in political philosophy, and his residence in France during the early

and *f. n.* Contrasting the views of Adams and Hamilton Beard remarks: "The former feared the rich almost as much as the poor, believing that they were as prone to use the government in spoliation as the latter. Hamilton does not seem to have regarded the rich as a danger to the state. On the contrary, he viewed the rich and well born as the safest depositaries of public power, although he advocated the admission of the propertyless to a speaking voice in the government. Adams did not view the conflict as a struggle between personalty and real property owners but between the rich and poor, although in his classification most of the farmers and petty tradesmen were placed in the latter category. Hamilton was essentially the spokesman of the commercial and financial classes. Contrary to contemporary misrepresentation, it would appear that Adams' property was in land rather than stock and bonds. In fact his biographer says that 'in Mr. Adams's vocabulary, the word property meant land. He had no confidence in the permanence of anything else.' Such a man was not temperamentally fitted to become the leader of a party founded principally upon capitalistic as opposed to landed interests. Hamilton believed that his fiscal and commercial policy was advantageous to the beneficiaries and the nation at large; he wanted positive action in support of those policies, not 'mediation' between contending factions. Under the circumstances it is not surprising that Adams had about as much sympathy for Jefferson as for Hamilton." *Economic Origins*, 318-319. In reducing the principle of cleavage between Federalists and Republicans to the struggle between personalty and real property, Beard makes the issue too simple, and overlooks the geographical distribution of interests. Wealth in personalty was practically confined to the coast, hence the secret of the adhesion of one influential group to the Federalist party. But the party included the landed aristocracy in New England throughout its existence, because their interests and ideals were those of the coastal order.

Adams held liberal views in the Revolutionary period (see *above*, 26, *f. n.* 66) which yielded as time passed to those opinions which caused him to be regarded as an aristocrat. The equality of man, the social compact, and the consent of the governed were dogmas which he held in common with other "fathers of the Revolution." His rather humble origin places him fairly among the popular leaders of that era. His belief in restricting the suffrage to freeholders, joined with his advocacy of measures to facilitate subdivision of land ownership, remind us of Jefferson (*below*, 38). At the same time he aspired, before the Revolution, to become one of the influential class which "had succeeded in bringing into existence distant imitations of the English type of society and government" (Walsh, 228); and while he insisted upon the right of the people to adopt such government as they chose, whether good or bad, in the formation of state constitutions he "hoped our people would be wise enough . . . to preserve the English constitution in its spirit and substance, so far as the circumstances of this country required and would admit," omitting only the hereditary features which had not existed in America and would not be tolerated. (*Ibid.*) Besides a property qualification for both electors and elected, "higher for the latter, and . . . rising in gradation with the importance of the office," he desired a religious test confirming certain offices to Christians. (*Ibid.*, 11). Although his views became distinctly less liberal from about 1786 (*Ibid.*, 258-259, 281 *et seq.*), his later opinions appear to have been the natural development of his early ones.

days of the Revolution brought him into contact with theories which confirmed his own conclusions concerning the conditions which conduce to human welfare and happiness. Conclusions which Rousseau and his compeers arrived at by dint of abstract reasoning, Jefferson held as naturally as if he had breathed them in with the air of the Virginia piedmont. It was fitting that the man who formulated the philosophical justification of revolution which the western part of the British world hurled against the eastern in the Declaration of Independence, should later become the leader of the inland farming democracy in its contest with the American heirs of British tradition. Jefferson's political creed was, indeed, the reflex of his philosophy of society. He believed that a simple agricultural economy afforded the best basis for a free state, since it fostered individualism and equality. Such a society America had done much to produce, and made possible in future, with its "immensity of land courting the industry of the husbandman." A complex industrialism with workshops and wage labor he wished to discourage, as tending to destroy self-reliance and equality of condition among men, and to introduce the class antagonisms which had led to the oppression and debasement of the people in the Old World. Commerce he admitted in his order as the means of exchanging the surplus of an agricultural country for the manufactures of the overcrowded countries of Europe, and hence as a means of keeping manufactures with their corrupting influences away from our shores. The ships of commerce, with their protecting navies, he preferred to let the European nations supply. In such an Arcadian society the functions of government would be at a minimum, the need of taxation slight, and individual freedom and initiative at their best.¹⁰⁴

The relation of this conception of society and government to Jefferson's early surroundings and to the life of the class whose

¹⁰⁴ "Those who labor in the earth are the chosen people of God, if ever He had a chosen people, whose breasts He has made His peculiar deposit for substantial and genuine virtue. It is the focus in which he keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of cultivators is a phenomenon of which no age nor nation has furnished an example. It is the mark set on those, who, not looking up to heaven, to their own soil and industry, as does the husbandman, for their subsistence, depend for it on casualties and caprice of customers. Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition. This, the natural progress and consequence of the arts, has sometimes perhaps been retarded by accidental circumstances; but, generally speaking, the proportion which the aggregate of other classes of citizens bears in any State to that of its husbandmen, is the proportion of its unsound to its healthy parts, and is a good enough barometer whereby to measure its degree of corruption. While we have land to labor, then, let us never wish to see our citizens occupied

spokesman he was, is obvious. Very appropriately he has been called a "backwoods statesman," for this set of theories, born of frontier conditions, affected his policies throughout his public career.

While Jefferson thus identified the cause of good government with the dominance of the agricultural class, as opposed to the capitalistic interests which formed the nucleus of the Federalist party, his democracy was not without limitations. He declared in 1800 that he had always been in favor of a "general suffrage."¹⁰⁵ It does not appear that he was ready to insist upon manhood suffrage, however, for in the draft constitution prepared for the use of friends in the Virginia convention of 1776 he provided a small freehold qualification for the exercise of the franchise.¹⁰⁶ If the whole of his plan be considered, however, this qualification becomes almost equivalent to manhood suffrage, for, in harmony with his faith in agriculture as the best foundation for a state, he would have had estates granted to all males, from the public lands.¹⁰⁷ His theory of democracy did not embrace all orders of society, for he could not overcome his distrust of the working class of cities. His hope of an American order was bound up with the continued preponderance of agriculture, for he believed that "when we get piled upon one another in large cities, as in Europe, we shall become corrupt as in Europe, and go to eating one another as they do there."¹⁰⁸ Thus he appears not so much as the apostle of a complete democracy, as he does the champion of an Arcadian form of society as the one best calculated to promote the happiness of mankind. Hence in contrast with Hamilton his program was

at a workbench, or twirling a distaff. Carpenters, masons, smiths, are wanting in husbandry; but, for the general operations of manufacture, let our workshops remain in Europe. It is better to carry provisions and materials to workmen there, than to bring them to the provisions and materials, and with them their manners and principles. The loss by the transportation of commodities across the Atlantic will be made up in happiness and permanence of government. The mobs of great cities add just so much to the support of pure government as sores do to the strength of the human body." "Notes on Virginia," written in the winter of 1781-1782. Ford, *Writings of Jefferson*, III, 268-269.

To this description of the ideal economic basis for a free state may be added the statement of the ideal of government given in the inaugural address of 1801: "A wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labour the bread it has earned." *Ibid.*, VIII, 4. See Beard's summary of Jefferson's views, in *Origins*, Chap. 14.

¹⁰⁵ *Ibid.*, 461.

¹⁰⁶ See above, 25, f. n. 59, and text of draft in Ford, *Writings*, II, 7.

¹⁰⁷ See discussion in Beard, *Economic Origins*, 457-463, and Anderson, in *Amer. Hist. Rev.*, XXI, 750-754.

¹⁰⁸ Letter to Madison, Dec. 20, 1787. Ford, *Writings of Jefferson*, IV, 479.

largely negative, or *laissez faire*, and he appears in national politics as the opponent of changes conceived in the interest of the capitalist class; the preserver of the social and political *status quo*, rather than as the leader of further democratic advance.¹⁰⁹

While it is true that the Federalist and Republican parties separated in the main along the old lines of cleavage, one notable exception must be mentioned. As a class the planters had constituted one of the groups of the dominant order which had joined in the movement for the formation of a stronger government. Within a few years, however, most of them had accepted the leadership of Jefferson. The causes of this defection lie partly in specific issues. Many planters, especially in Virginia, stood in somewhat the same relation to their British creditors that the interior farmers did to the merchants of the coast region. Desire to escape from their obligations has been charged as one cause of their Whiggism during the Revolution, and fear that the claims would be enforced by the federal courts may have been a factor in the opposition which some of them showed to the new constitution.¹¹⁰ Jay's treaty, with its provision for a joint commission to adjudicate the debts due British merchants, was a further cause of alienation.¹¹¹ Hamilton's assumption scheme laid a burden upon Virginia, which had paid its debt, for the benefit chiefly of northern security holders;¹¹² and in most of the planting states lack of fluid capital deprived even the wealthy of opportunity of profit

¹⁰⁹ This is true during the Federalist regime. His program of social reform fell within his conception of the sphere of state rather than federal action. His program of federal action became more positive when he reached the presidency.

Cf. Madison's reasons for joining the opposition to Hamilton which developed into the Republican party: "I deserted Colonel Hamilton, or, rather, he deserted me; in a word, the divergence between us took place from his wishing to . . . administer the government into what he thought it ought to be; while on my part, I endeavored to make it conform to the constitution as understood by the convention that produced and recommended it, and particularly by the state conventions that adopted it." Rives, *Life of Madison*, III, 177, quoted by Gordy, J. P., *Political History of the United States*, I, 140. In this desire of Madison, shared by Jefferson, to hold the constitution to their conception of its original meaning we have the origin of the Republican doctrine of strict construction.

¹¹⁰ Oliver Wolcott, quoted by Beard, *Economic Origins*, 297.

¹¹¹ *Ibid.*, Chap. 10.

¹¹² The Republican view of the tendencies of Hamilton's measures can be summed up by quoting a single sentence: "In an agricultural country like this . . . to erect, and concentrate and perpetuate a large monied interest, is a measure which your memorialists apprehend must in the course of human events produce one or other of two evils, the prostration of agriculture at the feet of commerce, or a change in the present form of federal government, fatal to the existence of American liberty." Resolutions of the General Assembly of Virginia on the Assumption Act of 1790, reprinted in Ames, H. V., *State Documents on Federal Relations*, 5. Cf. discussion of Hamilton's fiscal system in Beard, *Economic Origins*, Chaps. 5, 6.

through subscribing for stock of the United States Bank.¹¹³ For reasons of this nature, although many planters remained true to the Federalist party as late as the election of 1800, there was a pretty steady drift to the ranks of the opposition.¹¹⁴ Through community of opposition to measures which advanced the interest of a class of fluid capital owners, located chiefly in the northern states, the two classes of agriculturists which had been so long in conflict in the southern states, came together in the national party known as Jeffersonian Republicanism. It must be recognized, too, that the aristocratic faction, through the privileged position which it enjoyed in the states, was able to dominate this alliance, so that southern republicanism became a party consisting largely of small farmers led and represented by planters. This union was brought about the more readily because of the absence of a positive democratic propagandism on Jefferson's part, which might have alienated the planters.

¹¹³ *Ibid.*, 153.

¹¹⁴ Phillips, "The South Carolina Federalists," in *Amer. Hist. Rev.*, XIV, 529-543; 731-743, gives some insight into the motives of the planters who adhered to the Federalist party during the nineties, as well as the motives of those who espoused Republicanism.

CHAPTER II

THE TRIUMPH OF THE PRINCIPLE OF WESTERN EQUALITY

In the foregoing chapter an attempt has been made to show that the first parties in our national history grew out of antagonisms in the region between the Alleghany Mountains and the Atlantic Ocean, and that these antagonisms were to a considerable degree geographical, the more aristocratic group occupying the coast regions and the more democratic the interior. It has also been shown that in the conflict of the two the coastal order held its ground well. Indeed, it may be questioned whether, on the original arena, the popular cause would ever have triumphed. The population of the hinterland could hardly have gained sufficient weight to break down the strongly entrenched peripheral social order. In the southern states, in fact, throughout the slavery era, the plantation system displayed the power to advance steadily at the expense of the area of small farms.¹ The back settlements could not have saved their social order by seceding and establishing independent communities, for want of an outlet save through the Atlantic ports. If there had been no other way of escape, it seems that nothing short of revolution could have prevented the independent farmers from sinking in time to the level of European peasants. The acquiescence in aristocratic leadership of the Republican party was ominous. The division of national parties would probably have been sharper along lines of latitude and less marked along those of longitude. Such was the tendency shown when planters and small farmers united in the Republican party. The fate of the northern masses is not so easily conjectured. They showed less tendency to accept the leadership of their former antagonists, and might have maintained themselves as an important political group or party.

But the fate of the farming democracy was not to be determined east of the Alleghanies. The geographical basis of parties

¹ Cf. advance of plantation system to piedmont in Virginia and Carolinas: Ambler, *Sectionalism*, 118; Schaper, "Sectionalism," 389 et seq. See also Phillips, in *Amer. Hist. Rev.*, XI, 798-816, and Smedes, *Memorials of a Southern Planter*, extracts in Callender, *Selections from the Economic History of the United States*, 641 et seq.

was to be greatly changed during the first generation under the constitution, with proportionally significant changes in their spirit and purposes. When Jay and Adams triumphed over the unfriendly diplomacy of Vergennes in the peace negotiations of 1782 and secured the Mississippi boundary for the United States, they unwittingly prepared the overthrow of the political order to which they were attached. A few years later the national domain was doubled by the acquisition of the vast province of Louisiana. Into the wilderness beyond the mountains the discontented poured again, when conditions became unsatisfactory in their former homes, just as the pioneers had come to the "Old West" east of the mountains. Here a type of society similar to that which first developed at the eastern base of the Alleghanies struck its roots more deeply than ever into the soil, and with its widened geographical basis in time made its influence dominant in the nation.

This result could not have followed had not liberal principles won one notable victory on the stage of action east of the mountains. The oppressed might, indeed, have found freedom in the western wilderness even under a foreign flag. Or, under pressure of injustice, they might here have established independent communities, as they could not do on the Atlantic slopes. But the determination that the western communities should in due time be formed into states which should be admitted into the Union on terms of equality with the original states, decided in advance that western interests and western ideals should one day play the chief part in shaping the policies of the government.

The origin of the idea of new settlements with liberal political rights goes well back into the colonial period. The probable necessity of new governments in the West was beginning to be perceived as early as the outbreak of the French and Indian War, the expected success in which would give the English control of the Ohio Valley.² A provision, for which Franklin was chiefly responsible, was therefore made in the Albany Plan of Intercolonial Union, vesting in the general government the power to make new settlements and to "make laws for regulating and governing" them "till the crown shall think fit to form them into particular governments."³ Franklin's reflections upon the matter of new colonies led him to conclude that liberal government would be one of the essential in-

² Alden, G. H., *New Governments West of the Alleghanies before 1780*.

³ Bigelow, *Works of Franklin*, II, 368.

duancements to settlers to incur the hazards of the wilderness; in his own words, they would have to be allowed "extraordinary privileges and liberties."⁴ Indication of the nature of these extraordinary privileges is found in his suggestion that they should include the right of the settlers to choose their own governor, which suggests colonies of the self-governing, or corporate, type, rather than the royal type to which the crown was attempting in the eighteenth century to reduce all of the colonial establishments.⁵

The twenty years following the Albany Congress were filled with projects for new colonies, and the discussions of the period gave opportunity for the formation of a public opinion as to the most suitable type of government for transmontane settlements.⁶ The British ministry also grappled with the problem, and Lord Hillsborough, the president of the Board of Trade, contended (despite the purpose implied in the Proclamation of 1763) that new colonies in the interior were undesirable because they would be too remote to be of benefit to British trade, or to be held in due subordination to British authority.⁷ Hillsborough's view thus virtually recognized that the western pioneers would inevitably govern themselves in their own way, whatever forms might be imposed upon them. Franklin as agent for the Vandalia Company, which was seeking a grant in the West Virginia region, urged the necessity of the new government, declaring that the tract asked for already contained a population of 30,000 souls, who could not be governed effectively from Williamsburg.⁸ This argument, based on the impracticability of remote governments, stressed one of the grievances of the settlers which we have seen was the cause of complaints and petitions from the back country of Pennsylvania and the Carolinas in this same period;⁹ and, with other considerations urged by Franklin, won the Privy Council's approval of the Vandalia grant, with a scheme of government similar to those of the existing royal colonies.¹⁰ The outbreak of the Revolution, however, prevented the consummation of the grant, and transferred the whole problem of new western governments to Congress. The question next became

⁴ *Ibid.*, II, 474.

⁵ *Ibid.*

⁶ *Ibid.*, 12-48. Carter, C. E., *Great Britain and the Illinois Country*, 103-144..

⁷ Bigelow, *Works of Franklin*, V, 4.

⁸ *Ibid.*, V, 73, 74.

⁹ *Above*, 21, *f. n.* 45.

¹⁰ Alden, *New Governments*, 23-35.

involved in the dispute over the ownership of the western lands. As soon as it became evident that the struggle with the mother country would lead to a declaration of independence, the Virginia legislature reasserted the claim, long dormant, to all territory east of the Mississippi granted to that colony by the royal charter of 1609.¹¹ Other colonies revived similar claims. The validity of these claims was challenged by the small states, under the leadership of Maryland. The resolutions adopted by the legislature of the latter, in October, 1776, give probably the first clear and authoritative expression of what must have become, by that time, under the influence of experience and the revolutionary philosophy, a common opinion as to the proper policy to be pursued in providing for the government of settlements beyond the mountains—"such lands ought . . . to be parcelled out at proper times into convenient, free and independent governments."¹²

This was the beginning of the struggle which ended in the land cessions of Virginia and the other "claimant" states. The refusal of Maryland to ratify the Articles of Confederation unless cessions were promised,¹³ the desire of land companies for confirmation by Congress of grants which the British Government had been ready to make,¹⁴ the necessity of concessions to secure the alliance of Spain,¹⁵ the reluctance of the landless states to include a demand for the West in the terms of peace unless the territory were to be common property,¹⁶ and the desire of the western settlers themselves for distinct governments,¹⁷ are the more important factors in the complicated history of the cessions.

In order to procure the adoption of the Articles, which remained ineffective so long as a single state ratification was lacking, Congress repeatedly appealed to the claimant states for concessions. In the most notable of these appeals Congress committed itself to the policy of erecting new states in the western territory

¹¹ Hening, *Statutes*, IX, 118, reprinted in *Amer. Hist. Leaflet*, No. 22, 2.

¹² *Ibid.*, 3.

¹³ Adams, H. B., "Maryland's Influence on the Land Cessions," in *Johns Hopkins University Studies*, III, 7-54.

¹⁴ *Journals of the Continental Congress* (L. C. edn.), XV, 1068-1064.

¹⁵ Phillips, P. C., *The West in the Diplomacy of the American Revolution*, 177-188.

¹⁶ *Ibid.*

¹⁷ Turner, "Western State Making in the Revolutionary Era," in *Amer. Hist. Rev.*, I, 70-87; 251-269.

with all the rights of the original states.¹⁸ Virginia made this provision one of the conditions of her cession, and thus a guarantee of equal rights for the new West became embodied in a compact safeguarded by the obligations of good faith.¹⁹

This recognition of the rights of the West is the chief fruit of the democratic doctrines of the Revolutionary era. Much as the liberal ideals of the Puritans, though failing of realization in the mother country, found their opportunity in the northern colonies, the democracy of the Old West, though suppressed in the original states, because of the dominant position of the aristocratic class, was to find a freer stage in the communities beyond the mountains. The conservatives, moreover, who jealously guarded their favored status in the old states notwithstanding the implications of the revolutionary philosophy, were readier to give it free reign in the proposed new jurisdictions. The turbulence and discontent of the western portions of the old states lent practical force to the theoretical philosophy, and showed the impossibility of imposing unwelcome restraints upon peoples still more remote. The memorials of the inhabitants of the settlements in western Virginia (West Virginia and Kentucky) and North Carolina (Tennessee) spoke eloquently if uncouthly of the westerners' belief in their right of establishing governments to suit themselves.²⁰ But one conclusion was possible: the West would be either autonomous or independent.

Nevertheless the acts of cession did not place the status of the states-to-be beyond further controversy. The growth of the West was contemplated with apprehension in some quarters. Timothy Pickering among others opposed the plans to extinguish the Indian title to lands west of the Miami River, in 1785, on the ground that they would be occupied by "lawless emigrants."²¹ Both North and South regarded with doubt the effect which the rise of new states might have upon the balance of political power, and this apprehension was one reason for reducing the number of states pro-

¹⁸ "Resolved, That the . . . lands . . . shall . . . be settled and formed into distinct republican states, which shall become members of the federal union, and have the same rights of sovereignty, freedom and independence, as the other states . . ." *Am. Hist. Leaflet*, No. 22, 8. *Journals of Cont. Cong.*, XVIII, 915.

¹⁹ *Am. Hist. Leaflet*, No. 22, 18.

²⁰ Turner, "Western State Making;" Roosevelt, *Winning of the West*, II, 398-399; Alden, "The State of Franklin," in *Amer. Hist. Rev.*, VIII, 271-289.

²¹ Winsor, J., *The Westward Movement* 270.

vided for in the Ordinance of 1784.²² While the committee of Congress was drafting the Ordinance of 1785 for the sale of the ceded lands, certain eastern gentlemen showed uneasiness as to "the consequences which may result from the new states taking their position in the Confederacy," apparently wishing "that this event may be delayed as long as possible."²³ The feeling of the western people towards the East was no more cordial. Neglected by the impotent Confederation Congress, and both bullied and cajoled by the agents of Spain and Britain, the separation of the West from the Union seemed inevitable. The clash of its interests with those of the northern seaboard was revealed in the willingness of the latter to sacrifice the navigation of the Mississippi for the promotion of its own commercial relations with Spain, and many westerners were ready to risk the adventure of independence.²⁴ Unprincipled though he was, Wilkinson showed sagacity when he declared: "The Atlantic states of America must sink as the western settlements rise. Nature has interposed obstacles and established barriers between these regions which forbid their connection on principles of reciprocal interests. . . . These local causes, irresistible in their nature, must produce a secession of the western settlements from the Atlantic states" ²⁵

The constitutional convention with its reactionary temper brought the contest against the equality of the new states to a head. The stress which was laid upon property interests as the main reason for political society raised a presumption against the equal rights of the poor western communities as members of the Union, which found vigorous expression during the debate on the basis of representation in the lower house.²⁶ Gouverneur Morris alluded to the method by which the eastern part of his state (Pennsylvania) had kept power out of the hands of the western portion, and advocated the adoption of a similar plan on a national scale. "The lower part of the State had ye. power in the first instance. They kept it in yr. own hands, and the country was ye. better for

²² Barrett, J. A., *Evolution of the Ordinance of 1787*, 24, f. n. 3, 39, 40, and f. n. 2.

²³ William Grayson to Washington, April 15, 1785, quoted by Bancroft, *Hist. of the Const.*, I, 425. Grayson was a member of the committee. Rufus King was the Massachusetts member and may be the subject of the allusion, in view of the sentiments expressed by him in the constitutional convention. See below, 47.

²⁴ Roosevelt, *Winning of the West*, III, 89-202.

²⁵ Quoted by Turner, "The Diplomatic Contest for the Mississippi Valley," in *Atlantic Monthly*, XCIII, 679.

²⁶ Farrand, Max, "The Compromises of the Constitution," in *Amer. Hist. Rev.*, IX, 479 et seq.

it.”²⁷ “The Busy haunts of men not the remote wilderness, was the proper School of political Talents. If the Western people get the power into their hands they will ruin the Atlantic interests. The Back members are always most averse to the best measures.”²⁸ “Property was the main object of Society. . . . He thought the rule of representation ought to be so fixed as to secure to the Atlantic States a prevalence in the National Councils. The new States will know less of the public interest than these, will have an interest in many respects different, in particular will be little scrupulous of involving the Community in wars the burdens & operations of which would fall chiefly on the maritime States. Provision ought therefore to be made to prevent the maritime States from being hereafter outvoted by them. He thought this might be easily done by irrevocably fixing the number of representatives which the Atlantic States should respectively have, and the number which each new State will have.”²⁹ In words which echo the sectional conflict in South Carolina, Rutledge maintained that “Property was certainly the principal object of society. If numbers should be made the rule of representation, the Atlantic States would be subjected to the western.”³⁰ The conservatism of Massachusetts spoke through King, Gorham, and Gerry. The first held that the “number of inhabitants was not the proper index of ability & wealth; that property was the primary object of Society; and that in fixing a ratio this ought not to be excluded from the estimate. . . . [In the West] 10 new votes may be added without a greater addition of inhabitants than are represented by the single vote of Pena.”³¹ Gorham, supporting the report from his committee of a plan for representation in the first congress, suggested that “The Atlantic States, having Government in their own hands, may take care of their own interests, by dealing out the right of representation in safe proportions to the Western States.”³² Gerry soon afterwards moved that the representation of the new states should never exceed that of the old, and King seconded the motion.³³ Butler “con-

²⁷ Farrand, *Records*, I, 533.

²⁸ *Ibid.*

²⁹ *Ibid.*, I, 533-534.

³⁰ *Ibid.*, I, 534.

³¹ *Ibid.*, I, 541. The Ordinance of 1784, not yet superseded by that of 1787, provided for the admission of each western state as soon as its population equalled that of the least populous of the original states, while the Articles of Confederation gave each state one vote.

³² *Ibid.*, I, 540.

³³ *Ibid.*, II, 3.

curred with those who thought some balance was necessary between the old and the new States. He contended strenuously that property was the only just measure of representation."³⁴ While Williamson thought that it would be necessary to return to the rule of numbers in apportioning representation, he believed that the "western States stood on a different footing" until their property should be rated as high as that of the Atlantic states.³⁵ Madison and Mason, whose political careers in Virginia had stamped them as moderate leaders of the western section, although advocates of conservative provisions in the federal instrument of government, proved true to the cause of the West in this contest over equal rights. The former, although generally in accord with Morris in the convention, upbraided him for his inconsistency in the matter of representation. "At the same time that he recommended . . . implicit confidence to the Southern States in the Northern majority, he was still more zealous in exhorting all to a jealousy of a western majority." "It must be imagined that he determined . . . character . . . by the . . . compass."³⁶ Mason's remarks showed that he comprehended that the issue was beyond the power of the convention to settle by a constitutional provision. "If the Western States are to be admitted into the Union, as they arise, they must . . . be treated as equals, and subjected to no degrading discriminations. They will have the same pride, and other passions, which we have; and will either not unite with, or will speedily revolt from, the Union, if they are not in all respects placed on an equal footing with their brethren. . . . He did not know but that, in time, they would be both more numerous and more wealthy, than their Atlantic brethren. . . . Numbers of inhabitants, though not always a precise standard of wealth, was sufficiently so for every substantial purpose."³⁷ More open in avowal of the right of the majority to rule, and even more convincing in logic, was the argument of Wilson: "The majority of the people, wherever found, ought in

³⁴ *Ibid.*, I, 542.

³⁵ *Ibid.*, I, 560.

³⁶ *Ibid.*, I, 584. "The case of Pena. had been mentioned where it was admitted that those who were possessed of the power in the original settlement, never admitted the new settlers to a due share of it. England was a still more striking example. The power there had long been in the hands of the boroughs, of the minority; who had opposed & defeated every reform which had been attempted. Virga. was in a lesser degree another example. With regard to the Western States, he was clear & firm in opinion that no unfavorable distinctions were admissible either in point of justice or policy." Madison, *ibid.*

³⁷ *Ibid.*, I, 578-579.

all questions, to govern the minority. If the interior country should acquire this majority, it will not only have the right, but will avail itself of it, whether we will or no. This jealousy misled the policy of Great Britain with regard to America. . . . Like consequences will result on the part of the interior settlements, if like jealousy and policy be pursued on ours. . . . He could not agree that property was the sole or primary object of government and society. The cultivation and improvement of the human mind was the most noble object."³⁸

There is no way of determining whether the real inclination of the majority in the convention was more toward the views of Morris or of Wilson. It is quite conceivable that a conviction that the West could not be kept in permanent subordination outweighed the desires of members. At any rate, Gerry's motion was rejected by a vote of four states to five.³⁹ But the matter was not yet disposed of. The Committee of Detail, governed, one may suppose, partly by the vote on Gerry's motion, and perhaps even more by knowledge of the pledge of Congress made in 1780 and the terms of the Virginia cession, reported a clause providing for the admission of new states on terms of equality with the original states.⁴⁰ The opponents of equality were not yet beaten, however, and secured the adoption of a substitute provision *permitting* Congress to admit new states, and omitting the phrase concerning equality. The acceptance of the substitute may indicate considerable sympathy with the views of Morris and his group.⁴¹ He, at any rate, seems to have hoped that the phraseology adopted would leave a doubt as to the right of new states to equal rank in the Union, and so enable Congress, when admitting new members, to impose terms in behalf of the vested interests of the original states.⁴² Contemporaneously with the deliberations of the conven-

³⁸ *Ibid.*, I, 605.

³⁹ *Ibid.*, II, 3. Cf. Sherman on Gerry's motion: "We are providing for our posterity . . . who would be as likely to be citizens of new Western States, as of the old States. On this consideration alone, we ought to make no such discrimination." To which Gerry replied: "There was a rage for emigration from the Eastern States to the Western Country and he did not wish those remaining behind to be at the mercy of the Emigrants. Besides foreigners are resorting to that Country, and it is uncertain what turn things may take there." *Ibid.*

⁴⁰ *Ibid.*, II, 188.

⁴¹ *Ibid.*, II, 484-485. The motion to substitute was made by Morris, and the portion referred to was passed *sem. con.*

⁴² In 1808 Morris declared his belief that Congress might acquire territory to be held in permanent dependence, but could not admit new states from such territory. "In wording the third section of the fourth article," he says, "I went as far as circumstances would

tion, however, the Confederation Congress was framing the Ordinance of 1787, in which was renewed the pledge of ultimate statehood on equal terms with the old states, for the divisions of the Northwest Territory. One of the early acts of Congress after the adoption of the constitution was the repassage of this ordinance, and almost at the same time the final cession of North Carolina bound Congress to a similar policy in dealing with the Tennessee area. Thus the cause of western liberty gained an impetus which boded ill for any Atlantic groups which might oppose expansion or whose interests should conflict with those of the new West in the day of its power.

permit to establish the exclusion." Sparks, J., *Life of Gouverneur Morris*, III, 192. It is not clear that he believed in a similar power over states erected within the original territory of the Union.

CHAPTER III

THE DECLINE OF FEDERALISM

The perpetuation in the Federalist party of many of the old views and policies of the coastal class foredoomed it to destruction through the growth of the West, which meant the growth of the agrarian interest and of the belief in the political equality of men. Federalism proved to be almost non-expansive, the new settlements being uncongenial soil for much that the party represented, and it became consciously opposed to western development. This opposition was foreshadowed, as our study should already have made clear, even before the elements of Federalism coalesced into a party. It was men who later on were members of that party who showed apprehension of the consequences of admitting new states, when that question was discussed in the Confederation congress and in the constitutional convention.¹ The leaders of Federalism were discerning men, and suffered from no illusions concerning the effects of the growth of the West. The character of the transmontane settlements when the constitution went into effect was well calculated to arouse their apprehensions, for the Kentucky and Tennessee frontiersmen came chiefly from that stock which had so long challenged the claims of the tidewater section, and had given birth to the American ideal of democracy. During the days when parties were forming on a national scale, the West tended naturally towards Republicanism. It cast, indeed, a few votes in favor of the constitution, but the test of Federalist policy soon proved the real affinity of the pseudo-federalism of Kentucky and Tennessee to be the party of Jefferson. The West found much more to condemn than to praise in the measures of the new government. Hamilton's financial system was generally disliked and the whisky tax was peculiarly odious. Even in those matters which were designed to promote western interests the policy of the gov-

¹ See above, 46-49. All of the men quoted as opposing the equality of the western states acted with the Federalist party during all or part of the last decade of the century. Cf. Beard, *Economic Origins*, Chap. 2. The views of Morris and his supporters were the natural views of the old seaboard governing class both North and South, but the union of planters and farmers in the Republican party in the South caused Federalism to stand out more and more as the "eastern" party.

ernment did not conciliate. The ineffectiveness of the early efforts to pacify the Indians and to secure the navigation of the Mississippi and the surrender of the northwest posts persuaded the people that the federal government was indifferent to their interests.² South of the Ohio Federalism was never a force to be seriously reckoned with; the rare references to adherents of the party prove that it was almost non-existent, and as time passed it lost rather than gained in strength. The treaties of 1795 were made the text of an exhortation of the region by Washington in his farewell address, but whatever favorable disposition may have been excited thus was more than counterbalanced soon after by the passage of the Alien and Sedition Acts.³ The Kentucky Resolutions of 1798 may be accepted as the public confirmation of the people of the Southwest in the Republican creed.⁴

² The feeling of the inhabitants of Kentucky on these matters is well described in McElroy, R. M., *Kentucky in the Nation's History*, Chap. 7.

³ "The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic States unfriendly to their interests in regard to the Mississippi; they have been witnesses to the formation of two treaties, that with Great Britain, and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity."—Richardson, J. D., *A Compilation of the Messages and Papers of the Presidents*, I, 217. The reference to the British treaty was unfortunate, as the people of the West did not consider it favorable to them. See next note.

⁴ There seem to have been a few admirers of Hamilton's policies in Tennessee in the early nineties, and Genet's partisans, by their excesses, produced a mild reaction in Kentucky favorable to the administration. Phelan, J., *Tennessee*, 241-242; Shaler, N., *Kentucky*, 129. Senator Marshall, of Kentucky, was one of the leaders of the Federalist group. He saw advantages for the West in Jay's treaty and voted for its ratification, contributing, moreover, a series of essays in vindication of the treaty to the *Kentucky Gazette* during the winter of 1795-1796. But the vast preponderance of opinion remained unfavorable. McElroy, *Kentucky*, loc. cit. There were even two Federalists in the Lexington region who dared publicly to defend the policy of the administration in passing the Alien and Sedition Acts. The local aspects of this controversy are discussed, *ibid.*, Chap. 8. As late as the period of the Burr Conspiracy, "a Mr. Wood, of Richmond, Virginia, was invited to Kentucky and made editor of *The Western World*, a newspaper devoted to the interests of Federalism."—Ambler, C. H., *Thomas Ritchie*, 38.

Naturally, some of the early western officials holding their positions by presidential appointment were of the Federalist faith; e. g., Governor Blount, of the Territory South of the Ohio River, and St. Clair, governor of the Northwest Territory, as well as minor officials. See below, 55, f. n. 15.

Michaux, returning from Tennessee in 1796, encountered one Manako who may have been a Federalist, as he was "a declared enemy of the French because, he said, they have killed their King." Michaux would not accept his offer of supper, and was mortified because the inclement weather obliged him to spend the night in the house. "But I slept on my Deer skin and paid for the Maize he supplied me with." In 1802 Michaux declares concerning John Adams: "His memory is not held in great veneration in Upper Carolina and the Western States . . . where nobody durst confess himself publicly attached to the federal party."—Michaux, F. A., *Travels to the Westward* (in Thwaites, R. G., *Early Western Travels*, III), 94.

Meantime Federalism had shown its disposition towards the admission of new states. The occasion was Tennessee's application for statehood in 1796. The people of the "Territory South of the Ohio River," as it was officially designated, acting under an ordinance of the territorial legislature, without authorization of Congress, had held a convention and adopted a constitution under which they claimed recognition.⁵ Congress was pledged to grant eventual statehood, not only by the resolution of 1780,⁶ but by the terms of North Carolina's cession which imposed the same conditions stipulated by the Ordinance of 1787 for the Northwest Territory. Not venturing to impugn these pledges openly, the Federalists professed friendship for the statehood aspirations of the people of the territory, and confined their objections to insistence upon safe precedent, since "in a few years, other States would be rising up in the Western wilderness, and claiming their right to admission," and "it was of considerable moment to the United States, that a proposition which admitted a new State to the equal rights in one important branch of government in the affairs of the nation should be seriously considered and grounded on clear constitutional right."⁷ They maintained that action by Congress must precede the organization of a state government, and pointed out that it was quite within the power of Congress, by dividing the territory into two states, to "leave less than sixty thousand inhabitants in either, and consequently deprive them of any claim whatever to admission into the Union at this time."⁸ In reality, the Federalists had no desire to increase the number of Republican states, as such a division would ultimately have done, and sought only the advantage which would accrue to their party through delay. They believed the eagerness of their opponents to grant recognition to be due to the aid which the electoral vote of the new state would give in the election of Jefferson,⁹ and wished to delay

⁵ Portions of the following pages follow closely an earlier study by the present writer entitled "Federalism and the West," in *Turner Essays in American History*, 113-135.

⁶ *Above*, 45, f. n. 18.

⁷ Speech of William Smith, a South Carolina Federalist. *Annals of Congress*, Fourth Cong., 1 sess., 1800-1804.

⁸ *Ibid.*

⁹ "No doubt this is but one twig of the electioneering cabal for Mr. Jefferson." Chauncey Goodrich to Oliver Wolcott, Sr., quoted by Phelan, *Tennessee*, 138. Jefferson called the Tennessee constitution the "least imperfect and the most republican of the state constitutions."—Caldwell, J. W., "John Ball of Tennessee," in *Amer. Hist. Rev.* IV, 652 et seq. The course of the Federalists in opposing the admission of the state "had the effect of confirming her Republicanism. The people were indignant on account of the opposition, and for many years no public man in Tennessee dared to admit that he entertained Federalist principles." *Ibid.*

recognition long enough to deprive the Republicans of three electoral votes in the presidential campaign then in progress. In the Senate, Rufus King presented a committee report which declared Tennessee, for want of action by Congress, not yet entitled to admission.¹⁰ This report was adopted, and by a vote of 15 to 8 the Senate passed a bill reported later from King's committee for "laying out into one State the territory ceded by the State of North Carolina."¹¹ Meantime, however, by a vote of 43 to 30, the House took action in favor of immediate recognition, and in the end the Senate passed the House bill.¹² On the whole, the Federalists went as far as they could, in the Tennessee affair, to show their antipathy for new western states; their conduct was what one would expect in the light of the antecedents of the party. They displayed a willingness to prolong the territorial status which was in marked contrast with the Republican view of it as a "degraded situation," lacking "a right essential to freemen—the right of being represented in Congress."¹³

South of the Ohio Federalism proved incapable of being grafted upon a democratic stock. North of the river it was subjected to a different kind of test. In that portion of the Northwest Territory which became the State of Ohio, it failed to hold its own as a colonizing force in competition with democracy of the type which settled Kentucky and Tennessee. Yet the Federalists were the first on the ground: the New England veterans who followed Putnam to Marietta found themselves, in the period of nascent parties, in sympathy with their eastern relatives.¹⁴ In the settlements around Cincinnati, also, were many easterners who inclined to similar views, and the pioneers who came a little later to the Western Reserve and eastern Michigan were from the strongholds of Federalism. Arthur St. Clair, the territorial gov-

¹⁰ *Annals*, Fourth Cong., 1 sess., 91-94.

¹¹ *Ibid.*, 97, 109.

¹² It is difficult to ascertain positively the politics of the less prominent congressmen of that period, and vote analysis on party lines is of doubtful value because of incompleteness. The House vote shows 17 Republicans for this bill and only one against; Federalists, two for and 12 against. Although less than half of those voting are accounted for in this division, the party alignment seems to be clear. The vote in the Senate was a tie, which was determined favorably by the ballot of acting-president Livermore. The chagrin of the Federalists at Livermore's action is manifest in the letter of Goodrich, cited above, note 9.

¹³ Madison. *Ibid.*, 1808-1809.

¹⁴ New England looked rather coldly upon the Ohio Company's project of colonisation, fearing a rapid drainage of population. "Nathan Dane favored it, in part because he hoped that planting such a colony in the West might keep at least that part of it true to 'Eastern politics.'" Roosevelt, *Winning of the West*, III, 256-257.

ernor, Winthrop Sargent, the secretary, and Jacob Burnet, one of the judges, supported Federalism.¹⁵ St. Clair entered the lists as a pamphleteer in defence of the Adams administration.¹⁶ The sentiment of these early days is suggested by the fact that the legislature voted a complimentary address to President Adams in 1798 with but five dissenting voices.¹⁷ These five votes, however, were ominous of approaching discord. Into the Cincinnati region and the Virginia military district had been pouring a tide of southern immigrants who were imbued with the feeling that the dependent territorial status was a "degraded situation," and with characteristic impatience at arbitrary power the leaders of this element soon clashed with St. Clair. The result was the firm conviction that they should never secure fair treatment under the territorial regime, and a demand for early statehood as a means of obtaining full self-government.¹⁸ St. Clair, true to his Federalist instincts, distrusted the classes to whom he foresaw control would fall in that event. To him they seemed an indigent and ignorant people, ill qualified to form a government and constitution for themselves, and too remote from the seat of government to feel a wholesome respect for the federal power. "Fixed political principles they have none. . . . Their government would most probably be democratic in form and oligarchic in its execution, and more troublesome and more opposed to the measures of the United States than even Kentucky."¹⁹ Observing the preponderance of southerners among the newcomers in portions of the Territory, he fell back upon the time-honored devices of ruling minorities, and proposed to Timothy Pickering, the Secretary of State, a departure from the

¹⁵ Sargent was of Massachusetts birth and a veteran of the Revolution. Becoming interested in the Ohio Company of Associates, he acted as surveyor for the Company in 1786. Upon the organization of the Territory, he was appointed secretary, holding the office until he was made governor of the new Mississippi Territory, in 1798. His Federalism made him so unpopular with his Republican neighbors in Mississippi that Jefferson removed him. Thwaites, *Early Western Travels*, IV, 323, f. n.

Burnet was a native of New Jersey, a Princeton graduate, and by profession a lawyer. In explanation of his Federalist principles he tells us "He had more confidence in the men who formed the Constitution than in their opponents, who had uniformly resisted its adoption and opposed its measures." Burnet, J., *Notes on the Early Settlement of the North-western Territory*, 297-298.

¹⁶ Smith, W. H., *St. Clair Papers*, II, 442.

¹⁷ *Ibid.*, I, 213; II, 484.

¹⁸ "We shall never have fair play while Arthur and his Knights of the Round Table sit at the head." Extract from a letter of Judge Symmes, June 24, 1802, *ibid.*, I, 241. In the same letter Symmes says that one of his Cincinnati correspondents asserts that the papers there print everything for the "Aristocrats" and only now and then a piece for the "Democrats."

¹⁹ St. Clair to James Ross, Dec., 1799. *Ibid.*, II, 481-483.

plan of division laid down in the Ordinance of 1787, "in such a manner as to make the upper or Eastern division surely Federal, and form a counterpoise . . . to those who are unfriendly to the General Government."²⁰ Upon reflection he abandoned this project, perceiving that "the eastern division is too thinly inhabited, and the design would be too evident," and, as suggested in the Tennessee debate, proposed a line which, while leaving each portion "a sufficient number of inhabitants to continue in the present [second territorial] stage of government," would keep them in a colonial state for a good many years to come."²¹ Although one of the most violent of the Federalists in his antipathy towards the West, Pickering, for some reason, instead of lending himself to St. Clair's scheme, submitted the letter to William Henry Harrison, delegate to Congress from the Northwest Territory, on whose recommendation a division was made (May, 1800) in accordance with the Ordinance. Hoping to secure a reconsideration by Congress, St. Clair's partisans next (November, 1801) carried through the territorial legislature a boundary act assenting to a division which would promote the governor's plan, and Fearing, Harrison's successor as territorial delegate, was instructed to seek the approval of Congress. Meantime, the Jeffersonian regime had been inaugurated at Washington, and St. Clair's opponents met the issue by appealing to their friends at the national capital, not only to reject the boundary act, but to take steps favorable to the admission of the state.

The quarrel of the Federalists and Republicans in Ohio, now transferred to the larger arena of Congress, bade fair to become a national party issue. It was predicted that Federalists would oppose admission, because the increase of western and southern states accrued to the advantage of their opponents.²² On the other hand, the Republicans were eager to add to their party strength three electoral votes which might be needed in the contest of 1804.

²⁰ This letter has been lost. St. Clair gives a summary in his communication to Ross, cited above.

²¹ Cf. letter to Woodbridge: "I ventured to open to [Todd, of Trumbull County] my opinion that . . . many advantages would flow to the upper eastern division . . . by proposed lines . . . Being settled entirely by the people from the eastward . . . as they would forever have the preponderancy over the other parts of that district, it would be in their power to introduce those laws and customs, and fix them so as they could never be overthrown . . ." [*Italics mine*]. *Ibid.*, 548-549.

²² *Ibid.*, I, 238, quoting R. J. Meigs, Sr.: "The Federalists will oppose it, because a multiplication of western and southern States will multiply Republican Senators."

Approval of the boundary act was decisively refused on January 27, 1802, only five votes being recorded in its favor; and the next day the first steps towards a statehood bill were taken under a motion of the zealous Republican Giles of Virginia.²³ In the debate which ensued the expected Federalist opposition failed to appear. Roger Griswold, of Connecticut, was allowed, almost unsupported, to voice the protest of the minority. In the Tennessee debate, the Federalists held that an act of Congress must precede the formation of a state government by the people of a territory; now Griswold maintained that the passage of an act giving the assent of Congress to the formation of a constitution, upon the petition of individuals, and contrary to the wish of the legislature as implied in the boundary act, was an unwarranted interference with the concerns of the people of the territory.²⁴ The Republicans maintained, as in 1796, that territorial governments "were arbitrary at best, and ought not to exist longer than they could with propriety be dispensed with. They were opposed to the genius of the people of this country. . . . The people resident in the Territory had emigrated from the different States in the Union, where they had been in the habit of enjoying the benefits of a free form of government; they no doubt looked forward to a very short period, at which they might again enjoy the same as pointed out by the Ordinance . . . but if the doctrine now contended for in opposition, shall prevail in this House, all their hopes are blasted," for it was "not to be supposed that men who have power to nullify every act of the people, will ever sanction one to put an end to their own political existence."²⁵ In support of this contention the boundary act of the territorial legislature was cited.

²³ *Annals*, Seventh Cong., 1 sess., 465-6, 469.

²⁴ *Ibid.*, 1104-1105. Goddard, also of Connecticut, seconded Griswold's argument. *Ibid.*, 1116.

²⁵ Speech of R. Williams, of North Carolina. *Ibid.*, 1107-1110. The Ordinance of 1787 pledged the admission of the parts into which it provided that the Northwest Territory should be divided, whenever the population of any part reached 60,000. Ohio had not yet reached this population, and the speech of Williams indicates the danger of delay involved in the proposal of the territorial legislature. Of course, if no change in boundaries were made, statehood would soon be due under the provisions of the Ordinance, and Williams's argument would hardly be applicable.

Griswold's plea was not consistent with the Federalist contention of 1796. Then it was asserted that the action of the territorial legislature should not be taken as conclusive evidence of the wish of the people of Tennessee, since many were known to oppose statehood; while now Griswold maintained that the action of the legislature was the only evidence of the sentiments of the inhabitants of a territory which Congress should notice. In both cases the argument was evidently shaped by the desire to restrain the growth of an adverse interest. The final vote on the Ohio statehood bill shows more clearly than the debate the partisan na-

The Ohio statehood bill as passed gave further offence to the Federalists by separating what is now eastern Michigan from the new state. This they believed to have been done from the fear that that district, where Federalists were numerous, would, if included, give a majority against statehood or carry the new state into the Federalist column. While the matter was under consideration in committee of the whole, Bayard objected to cutting off the Michigan portion of the territory about to be admitted, after the inhabitants had been advanced to the self-governing stage. To this Giles replied that the northern portion of the territory could not be a permanent part of the new state, and that it would be unjust to allow its inhabitants a voice in forming a constitution for the people of the southern portion. By being attached to Indiana Territory, moreover, it would not revert to the first stage.²⁶ The people of Detroit and vicinity remonstrated against the action of Congress, claiming the right to be included in the new state, but were reconciled by the prospect of a territorial government seated at Detroit, with offices to be distributed among local men.²⁷ It is significant of the extent to which Federalism had invaded the West that a gerrymander of this sort was necessary to insure Republican ascendancy in the first state created in the old Northwest.

But the passage of the enabling act was the beginning of disaster for the Ohio Federalists. Their delegates in the constitutional convention were outnumbered nearly three to one.²⁸ St. Clair was dismissed by Jefferson with scant courtesy before the expiration of his term, for criticising the action of Congress in a speech before the convention.²⁹ The convention, true to the current creed of democracy, and mindful of the conflicts with the late governor,

ture of the issue. The vote of those whose politics have been ascertained shows the Republicans 14 to 1 in favor of it, with 7 Federalists opposed. *Ibid.*, 1161-1162.

²⁶ *Ibid.*, 1120-1122. "The inhabitants of that part of the Territory with scarcely one exception, were also decidedly opposed in politics to the party which had just possessed themselves of the administration of the general government. They were also numerous. . . . It was, therefore, almost certain, that if they were united with the opposers of the proposed constitution, in the Southern part of the district, they would reject the law of Congress, and prevent the formation of a State government. But if this should not be the case, still they would become citizens of the new State, which, with the aid of their numbers and influence, would most probably be placed in the ranks of opposition to the administration of the general government, by the men then in power." Burnet, *Notes*, 337.

²⁷ *Ibid.*

²⁸ An account of the convention, with source material, is given in Smith, *St. Clair Papers*, I, Chap. 9; II, 586 *et seq.*

²⁹ Charges against St. Clair had been presented to the President by his enemies early in the year 1802, but at that time Jefferson had been satisfied by the defence offered. *Ibid.*, I, 244-245; II, 592-601.

framed a constitution which entrusted large powers to the legislature, but reduced the governor to a figurehead. In the first election the Republicans carried even Marietta by a large majority, most of the disheartened Federalists casting blank ballots in view of the certainty of defeat.³⁰ The rout of the party by these occurrences was so complete that it soon ceased to act as a political organization. Among the politicians of the early days were many men from New England, and especially Connecticut, but they either found that their Federalism barred the way to political preferment in the social and political atmosphere of the West, or had imbibed the principles of democracy in their earlier homes. At all events the politically ambitious, whether Virginian, New Yorker, Yankee, Scotch-Irishman, Irishman, or Englishman, was speedily drawn into the party of democracy. All of these stocks were represented in the governor's chair within a quarter-century, but few men who bore the party title of Federalist attained important office until about 1820, by which time that designation had lost all real significance both East and West.³¹

Yet the story of Ohio Federalism after 1803 is not one of sudden disappearance, but of gradual decline and fusion with Republicanism. Members of the party seem to have been active locally in those parts of the state where they were numerous or party lines not too rigidly drawn.³² But never did they put forward their own candidate for the governorship. In 1809 an anonymous correspondent of the *Supporter* asserted that "The federalists of Ohio not being ignorant that their opponents outnumber them, I think I may say five to one, never have made any general effort against

³⁰ The Federalists considered plans for rallying their forces and making a fight for the election of St. Clair, but he refused to allow his name to be used, and apparently no other name afforded even a fighting chance of success. *Ibid.*, I, 247.

³¹ Hockett, "Federalism and the West," in *Turner Essays*, 128, *f. n.*, gives antecedents of early Ohio politicians. Judge Burnet declared: "My political influence and that of my associates sank into a common grave. We were proscribed, and as soon as the plan of our competitors was consummated, we submitted to our destiny with good grace and withdrew from all participation." Burnet, *Notes*. Twenty years later Burnet was elevated to the supreme bench by a Republican legislature.

³² William McMillan ran as the party candidate for Congress in 1808, and received 1960 votes out of a total of 7518. (Randall & Ryan, *History of Ohio*, III, 146). In the presidential campaign of 1804 the electoral ticket of the party polled 864 votes in the state. (*Ibid.*, 145). Levin Beit, a Federalist, was chosen one of the supreme court justices in 1807, by joint ballot of the two houses (*Supporter*, Aug. 11, 1810), and was afterwards for several years mayor of Chillicothe, where he made the address of welcome upon the occasion of Monroe's visit in 1817. (*Ibid.*, Sept. 2, 1817.) George Nashee, also a Federalist, was a member of the town council of Chillicothe. (*Ibid.*, Jan. 12, 1814). These instances are chosen at random.

their enemy."³³ Nevertheless they were not without influence in gubernatorial elections. It is significant that in the contest between Return Jonathan Meigs, Jr., and Nathaniel Massie, in 1806-1807, the former's majority was furnished by those portions of northern and eastern Ohio where settlers from New England were most numerous.³⁴ Still more notable was the part taken by the Federalists in the controversy which grew out of a decision rendered by the supreme court in 1807, in which an act relating to the jurisdiction of the justices of the peace was held to be unconstitutional.³⁵ Leading Republicans attacked the judges who rendered this decision, one of them being a Federalist, Levin Belt, much as Jefferson and his friends had attacked John Marshall for his decision in the case of *Marbury vs. Madison*, and the Ohio Democracy divided on the issue. It became a factor in the three-sided contest of 1808, in which Huntington, Worthington, and Kirker were candidates for governor. This question of the functions of the judiciary involved the dogmas of Federalism as had no other issue arising in the politics of the state. One of their writers explained: "The federalists, lawyers and all, believe that the courts possess the power of declaring the legislative acts unconstitutional. They consider, that without this power in the judiciary, a written constitution is of no real or essential value.—Hence they cling to this principle as to the vital stream of life."³⁶ Their support was given to Huntington and he was elected.³⁷ In

³³ Issue of Dec. 16. The *Supporter* was a Federalist newspaper, founded at Chillicothe in the autumn of 1808, but it does not appear to have been any part of its purpose to foster hopes of partisan success. Its comment on state politics is rare; it echoes, by reprinting, the strictures of the party papers to the eastward on the foreign policy of the administration.

³⁴ Massie, D. M., *Nathaniel Massie*, 93-94. After defeating Massie, Meigs was adjudged ineligible for lack of the residence qualification, having been absent from the state for a considerable period within the four years preceding his election, and the vacancy was filled by Kirker as acting-governor. Meigs was of Connecticut birth. He was one of the settlers of Marietta, in 1788, where he practiced law. *Congressional Biographical Directory*. His political conduct in early life was so moderate that he is variously described as a conservative Democrat (Taylor, *Ohio in Congress*, 40) and as "originally a Federalist and supporter of St. Clair" (Massie, *N. Massie*, 93, 94).

³⁵ An account of this decision may be found in Randall & Ryan, *History of Ohio*, III, 155 *et seq.*

³⁶ "A Federal Lawyer," in *Supporter*, Aug. 11, 1810.

³⁷ Samuel Huntington was the adopted heir of his uncle of the same name, the signer of the Declaration of Independence and governor of Connecticut. He came to Youngstown, Ohio, in 1801, and afterwards removed to Cleveland. While belonging to the moderate Republicans, he had the confidence both of the Federalists and the extreme Republicans. St. Clair appointed him lieutenant colonel of Trumbull County. He served as delegate to the state constitutional convention, and was afterwards speaker, senator from Trumbull, and judge of the state supreme court. Whittlesey, Charles, *Early History of Cleveland*, 382-384.

the campaign of 1810 the claim was made that their action had controlled the result, and the friends of Worthington were warned that ill treatment of the Federalists would again jeopardize his election.³⁸ Some effort was made to rally the Federalists to the support of Meigs, now again a candidate, and considerable insight into political conditions is afforded by the arguments adduced in his behalf.³⁹ Meigs was elected, and thus for the third time that candidate succeeded whose moderation won the favor of the Federalist voters. To say, however, that they acted as a consistent group would be to go too far. The editor of the *Supporter* doubtless spoke for many of the apathetic when he wrote: "We conceive that *Federalists* have no interest in the present rupture between the two parties styling themselves *Republicans*. Federalists have nothing to expect from either—they have no hopes of emolument—no ambitious views to gratify. . . . Should federalists join the ranks of either, they would reap nothing but discomfiture and disgrace. Under these impressions we have decided to remain neutral during the present electioneering campaign."⁴⁰

The Federalist support of Meigs is, indeed, not so much evidence of a tendency to maintain a distinct party holding the balance of power between the Republican factions, as of a tendency to merge into Republicanism because all real differences of opinion were dissolving. Even on the judiciary question a large part of the Republicans were coming to the Federalist view, while the approximation of western Federalism to views held also by Republicans is well shown by the words of the same writer who urged the support of Meigs: "You [Federalists] have been in the habit of thinking there is no good among democrats, that the whole mass

³⁸ "A Federal Lawyer," in *Supporter*, cited above: "It was the federalists that made HUNTINGTON governor; but the 'federal lawyers' never supposed or represented him to be a federalist. . . . They supported him, because Gen. Worthington and his friends placed the controversy upon such grounds as left them no alternative. The same game seems likely to be played over again, and I warn you in time to beware of a similar result."

³⁹ "Federalists, you are not uninterested in the scenes passing in review. Your language is, 'Let the democrats fight it out among themselves.' . . . Federalists come forward. . . . Unite with moderate Republicans. Unite with all honest men in the election of Judge Meigs. . . . The destruction of federalism is the whole burden of their song [Worthington's supporters.] Will you aid in the election of such a man? Will you sharpen a knife to cut your own throats? . . . If you refuse to vote for Judge Meigs, you, in effect, do the same. . . . Turn out to a man and vote for Judge Meigs. He is the least evil of the two. He is a moderate Republican. His rival charges him with being friendly to federalism.—We believe he considers them as men entitled to civil usage and the rights of citizens . . . but we declare again, that he is no federalist. Would to heaven he were, and not only he, but all the people of the land."—"Timothy Trowell," "a humble mechanic," in *Supporter*, Sept. 22, 1810.

⁴⁰ *Supporter*, June 29, 1811.

of democracy is a polluted lump. Whereas, the great body of the people, among them, are well meaning, patriotic citizens, and would always do right were they rightly informed. It is some of their leaders you ought to oppose. . . . The *name* I am not tenacious of. Throw it away. Give us genuine federal principles. Let the constitution be our polar star. Give us equal and righteous laws. Place honest and able men in public offices. Let them be *Americans*, in contradiction to Englishmen and Frenchmen. Let canals and roads chequer this goodly land. Encourage commerce, but more particularly domestic manufactures. These are federal principles. Pursue these and we shall have another golden age."⁴¹ These principles are hardly distinguishable from those of western Republicans. They make clear that by the era of the second British war the chief obstacle to the amalgamation of parties in Ohio was prejudice.⁴²

The bit of Ohio history which we have traced shows that Federalism was carried westward by the migrating New England stock, and that Republicanism prevailed in some frontier regions only after a struggle. Nevertheless, Federalism was not able to withstand frontier influences long even in those regions where the settlers were exclusively of New England stock. This fact appears from the study of the fate which befell it in middle and western

⁴¹ "Timothy Trowell," in *Supporter*, Sept. 22, 1810.

⁴² In this rapprochement of the two parties doubtless lies the real explanation of the infrequency of the *Supporter's* comment on state politics. It was absorbed by the contest in progress to the eastward. But on the eve of the War of 1812 it ceased to echo the opposition of New England Federalism to the policy of the administration. Instead the editor wrote, on receipt of the news of the declaration of war: "It appears that congress have, at last, taken a firm and decided stand—they have *declared war*, and however we may differ in political sentiments it now becomes the duty of every citizen to cling to his country and rise or fall with it." (Issue of July 4, 1812). The persistence of the paper in its traditional faith is shown by its comment on the success of the Federalists in Maryland in the autumn of 1812, after twelve years of Democratic rule, as affording "a happy presage of the returning good sense of the people of the United States." (Issue of Oct. 24, 1812). A week later like news from New Jersey elicited the remark "thus are the good old times returning." (Issue of Oct. 31).

The Clintonian movement of 1812 found some support in Ohio. An electoral ticket headed by Calvin Pease, one of the judges who had joined in the decision setting aside the act of legislation in 1807, was placed before the voters of the state, and one man on this ticket, William W. Irwin, of Fairfield County, received 3301 votes. The vote for the Republican electors varied from 5788 to 7420. (*Supporter*, Nov. 14, 1812). But it may be questioned whether Clinton's support in Ohio was due to sympathy with the Peace Party movement, which made him the candidate of the commercial class of New England and New York, or to the belief that he would prosecute the war with greater vigor than Madison. Although sometimes regarded as the Federalist candidate in 1812, Clinton, in fact, received support from Republicans also under the impulse of a variety of motives. See Hammond, J. D., *History of Political Parties in the State of New York*, I, 298 *et seq.* Already, too, Clinton's fame as the chief advocate of a canal connecting the lakes with the Hudson had won him friends in Ohio, where public interest responded quickly to the project of a waterway to the Atlantic.

New York. In the period of ratification of the constitution, the favorable vote in that state was cast by delegates from the commercial regions of the lower Hudson; the patroon aristocracy and their tenants on the upper river, and the German population of the Mohawk Valley were strongly opposed to the new plan of government. If New York had been among the first states to pass upon the constitution, the antifederalists would doubtless have prevailed, but her geographical position made rejection impracticable in the face of the action which the other states had taken before her convention met. But while the Federalist cause was strengthened somewhat by this initial victory, and later aided by the use made of the patronage within the state, they could hardly have prevailed over the democracy led by George Clinton without the augmentation of voting strength which resulted from the immigration of New Englanders. To this immigration chiefly must be attributed the capture of the state by the Federalists in 1794. The influx of New Englanders during the nineties affected most the very regions which had been antifederal, and the frontiers. The opening of cheap lands in New York drew swarms of farmers from Connecticut and Massachusetts, while the establishment of new counties attracted to the county towns young lawyers and merchants of Federalist proclivities, whose political talents provided leadership for the rural settlers.⁴³ In the apportionment of 1791, the population of the Western District entitled it to five of the twenty-four state senators.⁴⁴ The rapid increase of freeholders, due chiefly to the immigration from New England, necessitated a reapportionment four years later, when, of the twenty additional senators for the whole state, twelve fell to the Western District.⁴⁵ During the nineties, this district was the most safely Federalist area in the state, electing candidates of that party almost without opposition. By 1798, however, Republican gains gave warning of the early passing of Federalist control in the state at large, and in the election of 1800, which restored the Republicans to power, the Federalists

⁴³ "The great influx of population from New England between 1790 and 1800 had changed the political aspect of the county. . . . While the eastern population seated within Oneida county, almost unanimously acted with the federalist party, the immigration to Herkimer seems to have been more equally balanced, although a considerable majority of the population which settled in this county adhered to their New England proclivities." "A republican lawyer or a republican merchant was seldom to be found in the country villages or at the county seats in this part of the state."—Benton, N. S., *A History of Herkimer County, Including the Upper Mohawk Valley*, 259-260.

⁴⁴ Hammond, *Political Parties*, I, 52.

⁴⁵ *Ibid.*, 99.

were defeated even in the Western District, which now became as regularly Republican as it had been Federalist.⁴⁶

This change in the political complexion of western New York points to the actual conversion of Federalist voters to Republicanism, and suggests that the Federalism of the New England-New York frontiersman was conventional rather than vital. As always, the appeal of the wilderness was strongest with the younger and less prosperous men—the very class least steeped in the orthodoxy of their native communities. Transplanted from its original environment, Federalism of this type easily yielded to the strong solvents of the frontier and blended with Republicanism. The actual process may be traced in some cases which seem typical. During the two or three years preceding 1800, there were in the assembly eight or ten members who had been chosen as Federalists, but who were beginning to lose faith in the tenets of that party and to act with the Republicans.⁴⁷ Among them was Jedediah Peck, an uneducated immigrant from Connecticut, who plied the trade of surveyor in behalf of his fellows who during the nineties redeemed Otsego County from the wilderness. "He would survey your farm in the daytime, exhort and pray in your family at night, and talk on politics the rest part of the time."⁴⁸ From the character of the man chosen by the settlers to represent them in the councils of the state some inference may be drawn as to the character of the constituents. The Old World traditions of Federalism, which became manifest in the legislation of 1798, alienated people of this type. Peck circulated a petition for the repeal of the Sedition Law, and for this Judge Cooper, the novelist's father, an ardent Federalist, caused him to be arrested and taken, in the spring of 1800, two hundred miles to New York for trial. The effect of such a spectacle upon a population already disaffected, on the eve of a state and national election, is easily imagined. "A hundred missionaries in the cause of democracy, stationed between New York and Cooperstown, could not have done so much for the Republican cause as this journey of Jedediah Peck from Otsego to the capital

⁴⁶ 1801 was an exception, the Federalists carrying the district because, as Hammond says, of "some local cause with which we are at present unacquainted. Perhaps the republican candidates, or some of them, were personally unpopular." *Ibid.*, 164.

⁴⁷ *Ibid.*, 123.

⁴⁸ *Ibid.*, 124.

of the State."⁴⁹ Meantime other influences had been working in the same direction. Of a type similar to Peck was Obadiah German, member from the neighboring county of Chenango.⁵⁰ To these waverers Aaron Burr had been paying court, conscious that their espousal of Republicanism would be an important factor in the winning of the West. Falling in as it did with the events narrated, Burr's efforts were successful, and in the decisive campaign of 1800 these counties followed their converted leaders into the Republican ranks.⁵¹ Herkimer, another of this group of western counties, was won by similar means, disaffection caused by the policies of the Adams administration coinciding with the coming of a Republican lawyer sent to organize the democratic movement.⁵²

In its new garb the Western District speedily became dominant in state politics. In 1805, German was the recognized leader of the Republicans in the assembly;⁵³ in 1809 western New York dictated the choice of United States senator, German being elected over several prominent competitors.⁵⁴ In 1810 the gubernatorial campaign was admittedly determined by the same section. In the hope of carrying this stronghold of the enemy, the Federalists nominated Jonas Platt, a pioneer of Whitesborough, who had retained his popularity in this part of the state in spite of the revolution in political sentiment; but the Federalists failed to carry the state, or even the Western District.⁵⁵ Never after 1796 did New

⁴⁹ *Ibid.*, 182. The petition was written by John Armstrong, author of the "Newburgh Addresses," who was, until 1798, a Federalist. Alexander, D. S., *Political History of New York*, I, 89. Armstrong was elected to the United States Senate in 1800 almost unanimously. Hammond thinks the Federalists supported him as the least objectionable Republican, as they could not elect a Federalist. *Hist. of Pol. Parties*, I, 154. The conversion of Ambrose Spencer, who later became a famous "boss," dates from about this time, a conjectural cause being that he foresaw the decline of the Federalist party. Alexander, *Pol. Hist.*, I, 87.

⁵⁰ Hammond characterizes German as uneducated, but distinguished for strong and vigorous intellectual powers. *Ibid.*, 276.

⁵¹ *Ibid.*, 124, 184.

⁵² Benton, *History of Herkimer County*, 261-262. "An up-state writer frankly avowed that Jefferson was the friend of the farmers and the enemy of the financiers. This partisan publicist . . . declared of the party leader: 'He has on all occasions shown himself the friend and patron of agriculture. You then whose lives are devoted to agricultural pursuits cannot surely approve of those who unjustly asperse his well-earned reputation. Hear him on the subject which must be nearest to your hearts, since it is most intimately connected with your interests.' Here the writer quoted at length from the *Notes on Virginia* the passages to the effect that those who labor in the earth are God's chosen people and the mercantile and laboring element of the towns the measure of a nation's decay."—Beard, *Economic Origins*, 367.

⁵³ Hammond, *Pol. Parties*, I, 218.

⁵⁴ *Ibid.*, 276.

⁵⁵ For outcome of Platt's campaign see Hammond, *Pol. Parties*, I, 279. Hammond gives the following explanation of the downfall of the Federalists: "They did not properly appreciate the intelligence and good sense of the mass of the community. . . . It was this unjust estimate . . . which carried them into a course of reasoning and action which resulted in . . . utter overthrow." *Ibid.*, 162.

York cast a Federalist electoral vote,⁵⁶ and the party gradually sank to the position of a faction acting with one or other of the Republican groups according to the dictates of local interest.

The fate of Federalism on the Pennsylvania frontier is in harmony with the conclusions reached from the study of Ohio and New York. New England contributed largely to the settlement of a belt of territory stretching across northern Pennsylvania from the Delaware River to the Ohio line. Connecticut, especially, had been interested in the lands of this region, to which she laid claim under the terms of her charter from Charles II; and notwithstanding the adverse outcome of the controversy with Pennsylvania which resulted, she made the largest contribution to the early settlement of the counties on the upper Susquehanna. From the rest of New England, sometimes by way of New York, came most of the immigrants who filled in the northern tier of counties, to Erie, in the extreme northwest corner of the state.⁵⁷ "Erie County became more like New York than Pennsylvania."⁵⁸ As in New York, the New England stock brought with it the traditional political faith. Luzerne County (which included also the present Bradford, Susquehanna, Wyoming, and Lackawanna) was a "veritable hot-bed of Federalism."⁵⁹ Scotch-Irish settlers were intermingled with the New Englanders, however, and a detailed study is not needed to reveal the fact that Federalism fought a losing fight.⁶⁰ In Erie County, in 1807, Snyder, the Republican candidate for governor, defeated James Ross, the Federalist, by a vote of 345 out of a total of 589.⁶¹ The early settlements near the forks of the Ohio

⁵⁶ The vote for De Witt Clinton, in 1812, might be regarded as an exception to the statement in the text, since Federalists helped the Clinton faction carry the state. The decline of the Federalist party in New York was steady until the period of international controversy beginning with the embargo, when there was a partial recovery as in other states. In 1804 Hamilton's opposition to combination with the Burr faction led to the ill-fated quarrel and duel in which he lost his life. Many Federalists abandoned the party on this occasion, considering it ruined. Hamilton's death and Jay's retirement also left it without first rate leadership. In 1806 most Federalists supported Lewis against Clinton, but this campaign again led many disgusted Federalists to forswear the party from that time forth. The support of Federalists gave Tompkins the victory over Lewis in 1807. *Ibid.*, 209, 235, 246.

⁵⁷ Mathews, L. K., *Expansion of New England*, 151-152.

⁵⁸ *Ibid.*

⁵⁹ *Ibid.* Also *History of Lackawanna, Luzerne, and Wyoming Counties*, 58.

⁶⁰ In 1807, Lycoming County gave 894 votes to the Republican candidate for the legislature, and 441 to the Federalist. The Republican candidate for sheriff won a victory over his opponent by the narrow margin of 702 to 694, but the Republican commissioner was elected by a vote of 751, his rival polling only 588.—Meginniss, *Official Report of Proceedings of the Centennial Anniversary of Lycoming County*, 24. Lycoming County in this early period included the whole of north central Pennsylvania.

⁶¹ Sanford, L. G., *History of Erie County*, 97.

were preponderantly Scotch-Irish and intensely democratic from the beginning. Although beyond the mountains, they had, as part of Pennsylvania, escaped the probationary period which accorded so well with the Federalist idea of government for the western settlements.⁶² In lieu of this, Hamilton sought to imbue them with a proper regard for the power and authority of the federal government by means of the excise law.⁶³ The Whiskey Rebellion followed, and in the trial of its leaders a prominent part was taken by Judge Alexander Addison, the "first law judge in Western Pennsylvania," and one of the few prominent Federalists of that region.⁶⁴ The suppression of the insurrection undoubtedly inspired respect for the government, as Hamilton planned it should, but it was little calculated to win western votes for his party. As early as 1798, therefore, there was no such thing as a Federalist party in Westmoreland County, although James Ross believed that a permanent, sensible leader might have won a small following. A small group of that party had maintained itself in Fayette County, but was powerless in congressional elections for lack of support from Westmoreland.⁶⁵ Four years later the enmity against Judge Addison brought about his impeachment and removal. While his primary offence was doubtless his conduct during the Whiskey Rebellion, his Federalist principles rendered him, it seems, "perhaps too impatient in his temper," and "not sufficiently courteous to his demagogical colleague," although there was no doubt as to his learning or integrity.⁶⁶

Another straw which shows which way the wind blew in western Pennsylvania is the case of Major Isaac Craig. He was one of the earliest citizens of Pittsburg, a Federalist, and a man of some note in the region. He had served during the Revolution, and in 1780 had commanded at Pittsburg. From the time of

⁶² Referring to the two stages of territorial government provided for by the Ordinance of 1787.

⁶³ The whole history of the Whiskey Insurrection is an interesting chapter in the story of the division between the seaboard and interior. Comments of the easterners are typical of their attitude towards the interior. Fisher Ames, referring to the rebel manifesto, said that these views "had tainted a vast extent of country beside Pennsylvania." (Winsor, *Westward Movement*, 485). Wolcott referred to the rebels as "the wild men of the back country," but predicted that they would not have the perseverance to oppose the steady pressure of law and must finally submit. (*Ibid.*) Cf. Washington's view that the rebellion was the fruit of the democratic societies.

⁶⁴ Thwaites, *Early Western Travels*, III, 363, f. n.

⁶⁵ Ross to St. Clair, July 5, 1798. *St. Clair Papers*, II, 422-423. St. Clair was inquiring into the probability of success as a candidate for Congress.

⁶⁶ Craig, N. B., *History of Pittsburgh*, 286-287.

Wayne's Indian campaigns he was in charge of the military stores at Pittsburg until deprived of the office by Jefferson, in 1802, because of his political views.⁶⁷ Thus through adverse public opinion and administration influence Federalists lost their hold on official positions in the West. Yet, as in Ohio, some clung tenaciously to the Federalist name in the face of defeat, and party feeling ran high at times. Cuming, while on his tour through the region in 1807, was amazed at the bitterness shown. "They nickname each other *Aristocrats* and *Democrats*, and it is astonishing to what a height their mutual animosity is carried. . . . The most illiberal opinions are adopted by each party, and it is sufficient with a federalist that another man is a republican, to pronounce him capable of every crime, while the republican takes care not to allow the federalist the smallest of the attributes of virtue."⁶⁸ He adds that their opinions "are argued with more warmth and are productive of more rancour and violence in Pittsburg than in any other part of America."⁶⁹

The change in the political complexion of western New York swung the twelve electoral votes of the state to Jefferson in 1800 and was a decisive factor in the election.⁷⁰ Yet narrow as was the victory, an acute analyst of political forces and tendencies might even then have read *finis* for Federalism in the light of its first defeat. Many southern members of the party, assured of satisfactory political adjustments at home, were sufficiently content with Jefferson's policies in national affairs to become apathetic, lacking an issue worth fighting for.⁷¹ From this period Federalism retained vitality nowhere except in New England, where it had always found its chief support.⁷² Even there Jefferson's measures met with popular approval, as was shown by the result of the

⁶⁷ Thwaites, *Early Western Travels*, IV, 96, f. n.

⁶⁸ Cuming, F., *Tour to the Western Country*, in Thwaites, *Early Western Travels*, IV, 70-72.

⁶⁹ *Ibid.*, 86. The editor of the first edition of the *Tour*, a Pittsburg printer, inserts at this point a note explaining that Cuming visited Pittsburg at a time when party feeling was unusually high, but that "at the present [1810] rancour has subsided."

⁷⁰ If Hamilton's proposal to choose electors by districts (Lodge, H. C., *Works of Hamilton*, VIII, 549 *et seq.*) had been adopted and had saved five New York electors for Adams, he would have defeated Jefferson by a vote of 70 to 68.

⁷¹ Phillips, "The South Carolina Federalists," in *Amer. Hist. Rev.*, XIV, 529-548; 731-743, traces the causes of the collapse of the state organization which followed the election of Jefferson. The article is suggestive of the fate of the party elsewhere in the South. Cf. Beard, *Economic Origins*, Chap. 18.

⁷² "In New England, Federalism had always found its chief support; and there alone, after the downfall of the party in 1800, did it retain any real vitality." Lodge, *Cabot*, 419.

election of 1804, in which he carried every state in that section except Connecticut.⁷³ Federalists might, indeed, have indulged hope of recovering lost ground in the Atlantic states, but it was plain that the growth of the West accrued to the benefit of the rival party, and it was also plain that the West would continue to grow. During the nineties Kentucky had sent two members to Congress; under the apportionment based on the census of 1800 she sent six and enjoyed a doubled allotment of presidential electors. The admission of Ohio added three more Republican electors, destined to swell to eight under the next apportionment. That the fate of the party was involved in this western growth was perceived by some of its chief men.⁷⁴ "In thirty years," wailed Timothy Pickering in 1804, "the white population on the Western waters will equal that of the thirteen States when they declared themselves independent of Great Britain."⁷⁵ As if the menace involved in the settlement of the original western territory of the Union were not enough, the acquisition of Louisiana added a vast new world certain to hold Republican views and in time to swell the number of Republican states. The obligation to grant statehood sooner or later to the communities which arose within the original territory had hampered the Federalists hitherto and forced them to be content with dilatory tactics. No such pledges impeded the expression of their views concerning the future of Louisiana. Although professing skepticism as to the value of the province and objecting to the purchase on the ground that it was not expedient, it was the belief that the treaty involved the obligation to confer statehood that filled them with alarm and caused their chief opposition to its ratification.⁷⁶ They did not deny the constitutionality of territorial

⁷³ The Massachusetts legislature abandoned the choice of electors by districts in 1804 and substituted a general ticket, confident that the state would return a Federalist majority. Bradford, *Hist. of Mass.*, III, 87.

⁷⁴ Cf. 63-65, above.

⁷⁵ Letter to Rufus King, March 4. Adams, Henry, *New England Federalism*, 352. Cf. actual situation as described below, 83-84.

⁷⁶ "Our party though with numerous exceptions, opposed it; for one reason, that it cost money the greater part of which we to the northward must pay, and it gains territory which will, in their apprehension, by giving strength to the Southern representation, diminish the Eastern influence in our councils."—Gouverneur Morris to R. L. Livingston, Nov. 28, 1803: Morris, A. C., *The Diary and Letters of Gouverneur Morris*, II, 444. Cf. speech of Tracy of Connecticut in Senate in which he declared that the relative strength which "admission gives to a Southern and Western interest is contradictory to the principles of our original union." *Annals*, Eighth Cong., 1 sess., 56. Rufus King and John Quincy Adams "agreed, and lamented that one inevitable consequence of the annexation of Louisiana to the Union would be to

acquisitions, but combated the right of Congress to admit acquired territories to statehood; insisting that they must be held as dependent provinces."⁷

Thus through the growth of the West the ruin of the Atlantic interest, predicted by Morris in 1787, seemed drawing near; the

diminish the relative weight and influence of the northern section." Adams, *New England Federalism*, 148.

"They did not fear the measure of acquiring Louisiana *per se*, but the supremacy of Democracy, which was its meaning to them. They saw in it the assurance of a perpetuation of Jefferson's power and of his maxima."—Lodge, *Cabot*, 435-436.

"See, e. g., speech of Timothy Pickering: 'He had never doubted the right of the United States to acquire new territory, either by purchase or by conquest, and to govern the territory so acquired as a dependent province.' But he denied that such territory could be given statehood by treaty, or Congress, or even an amendment, unless assented to by every state. *Annals*, Eighth Cong., 1 sess., 45. Griswold of Connecticut maintained likewise that acquired territory could not be incorporated either by conquest or purchase, but 'must remain in the condition of colonies and be governed accordingly.' *Ibid.* Cf. view of G. Morris, in letter to H. W. Livingston: 'I always thought that, when we should acquire Canada and Louisiana it would be proper to govern them as provinces, and allow them no voice in our councils.' Sparks, J., *Life of Gouverneur Morris*, III, 192.

Morris was ready to acquiesce in the purchase of Louisiana. "I like well your treaty with France," he wrote to Livingston. Morris, *Morris*, II, 444. He had, indeed, felt grave apprehensions lest Jefferson's laxity should permit France to take possession of it. "Si notre administration permet aux Français de s'y nicher, on n'en sera quitte que par des guerres et des convulsions affreuses. Nous avons actuellement le malheur d'être gouverné par l'esprit de vertige que, dans le siècle ridicule où nous sommes, on est convenu de nommer philosophe," he wrote to M. Necker shortly before the purchase. *Ibid.*, 433-434. He therefore regarded Livingston's treaty as having "saved" Jefferson's administration, and thought this was one reason for the Federalist's dislike of it. *Ibid.*, 444. He anticipated some benefits even for New England. "From the moment when the citizens of Louisiana were made members of our Union, they became the natural and political allies of the Northern and Eastern States. We have with them no competition of interest; on the contrary, our shipping and mercantile capital are essential to their wealth and prosperity, and equally indifferent is it to us whether the produce of our skill and industry be vended to those who speak English or to those who gabble the provincial dialects of France and Spain." *Ibid.*, 454. Morris thus stands in contrast with the more extreme Federalists like Pickering, in foreseeing the possibility of advantageous economic relations with this new West, but he must have used the word "political" in the above passage in a very loose sense, as he could hardly have anticipated a party alliance between New England and Louisiana. One is tempted to conclude, upon the whole, that Morris was trying to make the best of a situation which he thought rather bad, for on January 7, 1804, in a letter to Jonathan Dayton, while still expressing his approval of the cession, he pointed out objectionable features of the treaty. Especially, he says, "the stipulation to admit the inhabitants into our Union will, I believe, prove injurious to this country." *Ibid.*, 453. Only three days before writing to Livingston approving the treaty, he betrayed the temper of the anti-expansionist in a letter to another correspondent: "I am very certain that I had it not in contemplation to insert a decree *de crescendo imperio* in the Constitution of America, without examining whether a limitation of territory be or be not essential to the preservation of republican government. I am certain that the country between the Mississippi and the Atlantic exceeds by far the limits which prudence would assign it, in effect, any limitation be required. . . . I knew as well then as I do now that all North America must at length be annexed to us—happy, indeed, if the lust of dominion stop there. It would therefore have been perfectly utopian to oppose a paper restriction to the violence of popular sentiment in a popular government." *Ibid.*, 442.

Cf. views of King and Adams: "The alternative to acquisition of Louisiana was,—Louisiana and the mouths of the Mississippi in the possession of France, under Napoleon Bonaparte. The loss of sectional influence, we hoped and believed, would be more than compensated by the extension of national power and security." Adams, *New England Federalism*, 148.

friends of commerce, of conservative government and good order seemed destined to permanent subjection by the party of "incongruous materials, all tending to mischief."⁷⁸ Under these circumstances some of the ultra Federalists began to feel that the Union had failed to secure their dearest interests, and to consider the feasibility of a northern confederation.⁷⁹ "The people of the East," wrote Pickering to George Cabot, "cannot reconcile their habits, views, and interests with those of the South and West. The latter are beginning to rule with a rod of iron. . . . I do not believe in the practicability of a long-continued union. A northern confederacy would unite congenial characters."⁸⁰

But the desperate situation of the Federalists was not to be relieved by secession. Separation might free them from the iron rod of western and southern democracy, but could not protect them from the rising democracy within New England itself. Only such a reactionary policy as was impracticable could afford a remedy. If Federalism could have turned back to the aristocratic regime of colonial days—"if," as Cabot expressed it, "no man in New England could vote for legislators who was not possessed in his own right of two thousand dollars' value in land," then, as he added, it might be possible to "do something better."⁸¹ But Federalism could not save itself either by secession or by turning back,⁸² and

⁷⁸ Hamilton's characterization of the Republican party, in letter to Jay, 1800. Lodge, *Works of Hamilton*, VIII, 550.

⁷⁹ Pickering was a leader of the Essex Junto, "composed chiefly of hard-headed merchants and lawyers of Essex County, where mercantile and maritime interests were even stronger than in Boston. Stephen Higginson, George Cabot, and Theophilus Parsons were its earliest leaders . . . a few Boston Federalists, such as Fisher Ames, Timothy Bigelow, Christopher Gore, and John Lowell, Jr., afterwards became identified with the group. This Essex Junto, the ultra-conservative and ultra-sectional wing of the party, refused all compromise with democracy . . . failed entirely to sympathize with the South and West, and, in short, was blind to the fact that the world had moved forward since 1775 and 1789." Morison, *Otis*, I, 48. Cf. Morse, A. E., *Federalist Party in Massachusetts*, 17, f. n. See above, 30, note 66, for connection of the Essex leaders with constitution making in Massachusetts.

⁸⁰ January 29, 1804. Adams, *New England Federalism*, 339.

⁸¹ To Pickering, February 14, 1804. *Ibid.*, 346-349. Federalist control in the old states was doubtless prolonged by the emigration which drained off many who would have been Republicans if they had remained. It has been estimated that Massachusetts alone lost 180,000 souls between 1800 and 1810, through the westward movement. Haight, in *Milwaukee Sentinel*, Nov. 25, 1900.

⁸² "I greatly fear that a separation would be no remedy, because the source [of the evils] is in the political theories of our country and in ourselves. . . . *We are democratic altogether; and I hold democracy, in its natural operation, to be the government of the worst.*" Cabot to Pickering, Feb. 14, 1804: Adams, *New England Federalism*, 346-349. Cf. the advice of Hamilton: "Dissimberment of our empire will be a clear sacrifice of great positive advantages, without any counterbalancing good; administering no relief to our real disease, which is *Democracy*; the poison of which by a subdivision will only be the more concentrated in each part, and consequently the more virulent." *Ibid.*, 365. John Quincy Adams and Rufus

nothing but the unpopular foreign policy pursued by the Republicans themselves, after 1807, prevented the speedy dissolution which the election of 1804 portended. The popular approval which Jefferson had won in New England and New York by the moderate measures of his first term, he lost again through the embargo. The system of commercial restriction and the war which followed fell with crushing weight upon the maritime class and all of its dependents, driving many of the newly-made Republicans back to the Federalist party as the means of voicing their protest, and galvanizing the dying party into the semblance of returning life where there was no enduring source of vitality. The elections of 1807 had for the first time placed the Republicans in control of both houses and the executive in Massachusetts, much to the satisfaction of the Washington government; but the prompt reaction due to the embargo restored Federalist power in the legislature the next year.⁸³ In New York also the Federalists made considerable gains, but not enough to shake the dominance of the Republicans.⁸⁴ Even in Virginia, where also Federalism had shown a marked decline since 1800, the party received an accession of strength because of the effect of the restrictions on commerce. Not only did the tidewater counties poll heavy anti-administration votes, but portions of the piedmont and Shenandoah Valley, deprived of their market for wheat, recurred to Federalism.⁸⁵ Monroe's friends, the Quids, sought aid of the Federalists in their efforts to defeat Madison as the successor to Jefferson's place and policies, and joined forces with them in advocating the recharter of the First United States Bank and in opposing the war and measures of prep-

King "considered a severance of the Union as a remedy more desperate than any possible disease." *Ibid.*, 148.

Those who shared Pickering's views were Griswold and Tracy, of Connecticut, and Plumer of New Hampshire. Other Federalists in Congress, for example, Hillhouse of Connecticut, sympathized to a degree. Pickering sounded King, Ames, Cabot, and Parsons, also, but received no encouragement from the Massachusetts Federalists, even of the Essex Junto. Lodge, *Cabot*, 438-439. For Plumer's views see Adams, *New England Federalism*, 144-145.

⁸³ Bradford, *Hist. of Mass.*, III, 99, 100: "The embargo law was so injurious to the prosperity of the State . . . that the people withdrew their confidence and support from candidates for public offices, who were friends to the embargo, and to the general policy and measures of the national government." It was at this time that John Quincy Adams resigned his seat in the United States Senate, and was read out of the Federalist party, on account of his support of the embargo.

⁸⁴ Hammond, *Political Parties*, I, 265.

⁸⁵ Ambler, *Sectionalism*, 87, 90. The Valley had been one of the few Federalist areas in the West in 1788. See also Ambler, *Ritchie*, 47, 48, 56, *et passim*.

The gains of the Federalists were not limited to the regions mentioned in the text. Maryland was recovered in 1812, etc., etc.

aration for it.⁸⁶ The Quids disappeared as a distinct opposition group after the restoration of harmony between their leader and Madison, but the re-election of Virginia Federalists to Congress during the war period suggests that many of them were less easily reconciled than Monroe.⁸⁷ The leader of the Virginia Federalists during these years was Daniel Sheffey, of Augusta County; and through their representatives both in Congress and in the State Assembly, the interior counties of Virginia showed an "opposition to the War of 1812 excelled only by that of the New England Federalists."⁸⁸

These facts signify merely a temporary revival of Federalism in some of the old centers. Strong undercurrents had already undermined its foundations. With the adjustment of foreign relations interest would recur to questions of domestic development and westward expansion, and the final collapse would come. Indeed, even while the issues arising from our foreign difficulties were uppermost, the antipathy of Federalism for the West was strikingly manifested. One occasion was afforded by the bill for the admission of the state of Louisiana, the first to be formed within the territory purchased from France—the first fruit of that policy which the Federalists had anticipated with so much dread in 1803. The speech of Josiah Quincy, of Massachusetts, in the House of Representatives, in opposition to this bill, has long been famous for its open threat of secession in the event of the bill's passage. The ground of objection, however, rather than the threat, deserves our attention. "The debates of that [convention] period," said he, "will show that the effect of the slave votes, upon the political influence of this part of the country, and the anticipated variation of the weight of power to the West, were subjects of great jealousy to some of the best patriots in the Northern and Eastern States. Suppose, then, that it had been distinctly foreseen, that, in addition to the effect of this weight, the whole population of a world beyond the Mississippi was to be brought into this and the other branch of the Legislature, to form our laws, control our rights, and decide our destiny. Sir, can it be pretended that the patriots of that day would for one moment have listened to it? They were not madmen. . . . It is impossible such a power could

⁸⁶ Ambler, *Sectionalism*, 88, 91, 92.

⁸⁷ *Ibid.*, 92.

⁸⁸ *Ibid.*, 92.

be granted. It was not for these men that our fathers fought. You have no authority to throw the rights and liberties, and property of this people, into a 'hotch pot' with the wild men on the Missouri, nor with the mixed, though more respectable race of Anglo-Hispano-Gallo Americans, who bask on the sands, in the mouth of the Mississippi." ⁸⁹ Wheaton, of the same state, echoed in striking language the arguments of 1803 against the constitutionality of admitting new states created from acquired territory. "Who can tell where will be our ultimate bounds, or what number of States we may have in the Union? . . . Then what will become of the Old United States, who first entered into the compact contained in the Constitution, and for whose benefit alone that instrument was made and executed. Instead of these new states being annexed to us, we shall be annexed to them, lose our independence, and become altogether subject to their control." ⁹⁰ While New England voiced the opposition most vigorously she was not left without support from other sections. In fact, Sheffey spoke before either Quincy or Wheaton, but in moderate terms, counselling delay. "He was not, he said, directly hostile to the admission of this Territory into the Union." But he asked "Would gentlemen favor this French population at the expense of their own interests and rights [by premature admission]? . . . Under the fostering hand of the General Government, let them become accustomed to our Government, before those were permitted to govern themselves who had so lately emerged from despotism." ⁹¹ This was a mild course, but the Republicans would have none of it. As in previous debates over the admission of states, they regarded territorial government as odious because not free, and desired the briefest possible apprenticeship. ⁹²

The extravagant language of Quincy was not inaptly referred to by Poindexter as "the ebullitions of political drunkenness," for in their frenzy the New Englanders were blind to the simple fact

⁸⁹ *Annals of Cong.*, Eleventh Cong., 3 sess., 537.

⁹⁰ *Ibid.*, 493-495.

⁹¹ *Ibid.*, 484-485.

⁹² "He would treat these people as he would the people of every other Territory. They were a part of the nation, and so ought to be considered. There ought to be no question as to what stock they sprung from. . . . They had already served a sufficient apprenticeship to the United States, but not under a free Government, for the Territorial governments were not free. . . . Wished to treat this Territory as well as the others and no better; he would not treat one as a daughter and the other as a step-daughter. He was as willing now to make Orleans a State as he had been to make Ohio a State." Speech of Nathaniel Macon. *Ibid.*, 484-485.

that much of the West would be peopled by emigrants from their own section. This the speaker just quoted tried to bring to their attention. "The people of the Eastern States will never give their assent to a dissolution of the Union. They are bound to the Western country by inseparable ties of nature and of interest. The hardy and adventurous sons of New England will, in a short time, compose a large proportion of the population on the waters of the Mississippi, and I undertake to assure the gentleman from Massachusetts, that they will never return to 'break into his house . . .'"⁹³ But the Federalists would not be reassured, and of the 36 nays in the final vote 26 at least may be traced to them.

Following this defeat on the floor Quincy declined re-election to Congress, but entered the Massachusetts senate where he continued the agitation against expansion. In 1813 he drew up a report accompanied by a series of resolutions, denouncing as unconstitutional the admission of states created in territories not within the original limits of the Union, and especially the admission of Louisiana, and instructing the senators and requesting the representatives of the state to use their utmost endeavors to obtain a repeal of the act admitting her.⁹⁴ Thenceforth in the statements of the grievances of New England against the general government, commercial restrictions and the western policy are frequently united. Thus, in the resolutions which the Massachusetts legislature passed early in 1814, on account of the embargo act of the preceding December, occurs a recital of the woes of New England. Referring to the memorials sent up by the towns throughout the state, the report which precedes the resolutions says: "The people, in their numerous memorials from all quarters of the common-

⁹³ *Ibid.*, 569. The Massachusetts "blue bloods" were unable to persuade themselves that their own western emigrants were people of worth. When the traveller Faux visited the Federalist merchant Lyman, in Boston, in 1818, he records not only that "my host seems to regret that his freehold and other large estates give to him no more power than that of the humblest citizen," but that when the conversation turned to the plans of Birkbeck for an English settlement in Illinois, Lyman exclaimed: "If Mr. Birkbeck and others must emigrate why should they go into our wilderness, far from society, or at best mixing up with the refuse of our population, with men of stained names, thieves, and insolvents, who go thither to hide themselves; voluntary exiles, of whom society is well rid, because unable to endure them." Faux, W., *Memorable Days in America*, in Thwaites, *Early Western Travels*, XI, 57. Cf. View of Timothy Dwight, in his *Travels*, published a few years later—II, 468-469.

⁹⁴ "The people in the Atlantic states have not yet recovered from the horror, inspired by the term 'backwoodsman.' This prejudice is particularly strong in New England, and is more or less felt from Maine to Georgia."—Flint, Timothy, *Recollections of the Last Ten Years*, 174. (Published in 1826).

⁹⁵ *Niles Register*, IV, 285-287. Reprinted in Ames, H. V., *State Documents on Federal Relations*, II, 25-31.

wealth, appear to despair of obtaining redress from that government, which was established 'TO PROMOTE THE GENERAL WELFARE.' They see that the voice of the New England States, whose interests are common, is lost in the national Councils, and that the spirit of accommodation and regard for mutual safety and advantage, which produced the constitution and governed its early administration, have been sacrificed to the bitterness of party, and to the aggrandizement of one section of the union, at the expense of another" The fundamental cause of these evils is found in the growth of the West. "They have seen a power grow up in the southern and western sections of the Union, by the admission and multiplication of states, not contemplated by the parties to the constitution, and not warranted by its principles; and they foresee an almost indefinite progression in this system of creation, which threatens eventually to reduce the voice of New England, once powerful and effectual in the national councils, to the feeble expression of colonial complaints, unattended to and disregarded."⁸⁵ The Hartford Convention, which brought this chapter of dissent and protest to its close, did not fail to include among its proposed amendments to the constitution one which was designed to afford at least a partial remedy for this grievance, in the provision that "No new State shall be admitted into the union by Congress in virtue of the power granted by the Constitution, without the concurrence of two-thirds of both Houses." That the moderate party controlled the Convention may be inferred from the mildness of this proposal in comparison with the demands of the radicals who framed the previous utterances.

Thus in all of the clamor of disaffected New England during the period of war there sounds this note of dislike and dread of the growing West. The quieter tones were in accord. From 1812 to 1815 Pickering busied himself, as in 1804, in correspondence with Federalist leaders as far south as Virginia, and seems to have been in touch with kindred spirits.⁸⁶ Once more he suggested

⁸⁵ *Niles Register*, VI, 4-8. Reprinted in Ames, *State Docs.*, II, 28-31.

⁸⁶ Adams, *New England Federalism*, 405. A. C. Hanson wrote to Pickering from Baltimore: "I am rejoiced to see Quincy making such a noble stand in the House of Representatives. . . . He ought to be supported, and no doubt will" Considering the administration's foreign policy "and the creation of so many new States,—I shall become heartily sick of the Union. For my part, I say without reserve that the Union was long ago dissolved; and I never thought it criminal to compass a dismemberment of the States, although we have been educated in that belief. But I should prefer producing such an event by quiet means. I should like conventions to be called in the several States so disposed, and to proceed with calmness and dignified firmness. . . . I think, if the question was barely stirred

secession as a remedy, although in guarded language. "To my ears there is no magic in the sound of Union. If the great objects of union are utterly abandoned,—much more, if they are wantonly, corruptly, and treacherously sacrificed by the Southern and Western States,—let the Union be severed. Such a severance presents no terrors to me."⁹⁷ The desirability of secession, in the thought of Pickering, lay, however, not so much in the fact that it would rid the East of southern control, as that it would free it from the pernicious connection with the West. It was the democratic West which he abhorred; for the aristocratic Republicanism of the old South he recognized the affinity of Federalism. He inclined to the belief that the southern States, if separated from the North, would seek a reunion, and that "the only permanent severance" would "be of the Western from the Atlantic States."⁹⁸ This he thought "would be a real blessing to the 'good old thirteen states,' as John Randolph once called them."⁹⁹ The British attack on New Orleans aroused the hope that such a separation might be the fortunate result of the war. In January, 1815, he wrote: "By taking and holding New Orleans, and consequently commanding the whole Western country, she will break the Union. . . . The Atlantic States remaining united will in due time acquire a force sufficient to guard them from insult and injury, but short of that which would tempt ambition to involve them in destructive wars with children of our common ancestors. This view of things presents an additional reason to repress solicitude, where it exists, among any Atlantic citizens to recover New Orleans, should it fall into the hands of the British. Domestic or internal motives have excited in many a willingness, and in some a wish, that the Western States might go off and leave the Atlantic States free from their mischievous control,—a control every day becoming more powerful and dangerous."¹⁰⁰

in New England, some States would drop off from the Union like fruit, rotten ripe. . . . Virginia, with the other Southern States, and all Louisiana, and the Floridas in her rear, would then be left to govern her black population as she lists." *Ibid.*, 382.

⁹⁷ To Edward Pennington, July 12, 1812. *Ibid.*, 390.

⁹⁸ *Ibid.*

⁹⁹ To George Logan, July 4, 1813. *Ibid.*, 391.

¹⁰⁰ To Lowell. *Ibid.*, 425-426. Pickering vacillated somewhat in his opinions, but the above quotations seem to represent those which dominated him most of the time. He saw advantages and disadvantages both in union with the West and in separation. He feared separation would leave the old states saddled with the whole of the war debt and deprived of the public lands, which would be seized by the states within which they lay. *Ibid.*, 391. He did not fear the physical might of the West, believing that a single frigate could blockade the Mis-

At the date of this letter the war was over: the British had been repulsed at New Orleans, and the treaty of peace was a month old. The control of the United States over the Mississippi Valley had been threatened for the last time, and the expansion of the Republic was ensured. An unprecedented westward movement of population followed the return of peace, and a half-dozen states entered the Union within as many years. Such an increment of western power would have destroyed Federalism had it survived the war. But with the election of 1816 it ceased to maintain a national organization. Here and there in the old states groups of men clung to the party name for many years.¹⁰¹ Occasionally they exerted some influence even in national politics. But even in its old strongholds Federalism was making its last fight against the reflux of the tide of democracy which had swept the West, and the adoption by the northeastern states of new constitutions or amendments granting manhood suffrage drove it from its last entrenchments and left its members no alternative except to join forces with the new party movements of the twenties. The history of parties for a decade following the war might detail the dissolution of the fragments of Federalism in the several states. Such a study would recount the activities in New England, the middle states, and even in the upper South, which resulted in mixed delegations to Congress, and discuss the attitude and influence of Federalists on the measures of Congress during the period. The part played by them in states where the dominant party was divided into factions might be included to show how they sometimes elected a governor or con-

Mississippi and bring the inhabitants to terms by cutting them off from market. *Ibid.*, 390. He also saw the possibilities for the New England carrying trade in connection with the products of the Mississippi Valley. *Ibid.*, 407. The fear that the old Atlantic states would become insignificant politically as new states were multiplied, clung to him, however, and was the weightiest factor in determining his convictions. *Ibid.*, 407. At the least he hoped the demands of the Hartford Convention might result in restricted power in Congress to admit new states. He saw in the severance of the Atlantic coast and Mississippi Valley, which might result from the success of the British campaign, a condition which would force the Atlantic states into the close union which he believed desirable. "Should the severance . . . take place," he wrote to Hillhouse, Dec. 16, 1814, "from that moment the necessity of Union among the Atlantic States will strike every man who thinks, as forcibly as during our Revolution; and the feebleness of the States south of the Potomac will urge them to cling to those of the North, as the Connecticut vine to the tree which supports it. The terms of a new compact will be adapted to this new state of things." *Ibid.*, 418. Can it be that the New England extremists desired to bring about secession through the Hartford Convention, as a means to reunion with the South on better terms, and with the West excluded?

¹⁰¹ *E. g.*, Federalists cast 16,000 of the 40,000 votes in the Maryland state election of 1820. *Niles Register*, XIX, 111. In New Hampshire a Federalist electoral ticket received 1600 votes in that year, the Republican electors polling about 9,000. *New Hampshire Patriot*, January, 1821.

trolled a legislature. The influence of the undying hatred of the Essex Junto toward John Adams upon the fortunes of his son is typical of another class of data which might be collected. Of broader interest would be the story of such contests as that by which the Baptist-Methodist-Episcopalian alliance under the banner of Republicanism overturned the Congregationalist-Federalist regime in Connecticut and established a more liberal constitution in 1818. But to fix attention upon such details would be to follow eddies instead of the main current, since Federalism as the national rival of Republicanism came to an end in 1816.

Prior to the election of 1816 it was felt that the outcome of that campaign would decide the fate of the party. "If we cannot make any impression upon the presidential election, this time, I see no hope for the future," wrote T. Dwight to Rufus King in February.¹⁰² For such an impression success in New York was a prerequisite, and as the best hope of carrying that state King was nominated for governor and his acceptance urged by the most influential Federalists.¹⁰³ The efforts in New York had, however, no other effect than to unite the Republicans who easily carried the election. Thereupon King abandoned hope for the party, and wrote to Gore of Massachusetts: "I presume that the failure will, as I think it should, discourage the Federalists from maintaining a fruitless struggle. It has probably become the real interest and policy of the country, that the Democracy should pursue its own natural course. Federalists of our age must be content with the past."¹⁰⁴ To his son Edward he confided his conviction that "so effectually prostrate is Federalism, that I have no kind of Expectation that [it] can be again in Favor." The only remaining course, in his opinion, was to support the "least wicked Section of the Republicans" in case of division among them.¹⁰⁵

Already some correspondence had passed among the leaders concerning the most suitable candidate for the presidency. R. Morris believed "that if Howard of Maryland were started against Monroe, he would stand a tolerable chance. . . . Should James Ross of Pennsylvania be held up also as Vice President, it would

¹⁰² King, C. R., *Life and Correspondence of Rufus King*, V, 502.

¹⁰³ J. R. Van Rensselaer wrote, Feb. 16: "I most sincerely believe the existence of the federal party in this State depends on the decision you shall make." Others who wrote in similar vein were James Kent, Jacob Morris, W. A. Duer, T. Dwight, T. J. Oakley, D. B. Ogden, S. Rensselaer, et al. *Ibid.*, 506.

¹⁰⁴ May 15, 1816. *Ibid.*, 535.

¹⁰⁵ May 21. *Ibid.*, 537.

conduce to the Union of one Party and contribute to distract the other. Howard has good Sense, Honor, Courage, and Integrity. Ross is a man of the highest order of Talents."¹⁰⁶ King himself seemed inclined to favor Ross.¹⁰⁷ In view of the discouraging defeat in New York, however, no formal steps were taken to unite upon a leader or to rally the party; the few Federalist electors cast their votes for King, and we may well accept his words quoted above as a fitting close to the history of the party.

So perished Federalism. Its aristocratic temper, its identification with the moneyed and commercial class of the seaboard, were the primary causes of its unfitness for expansion into regions where society was of a primitive agricultural type. But the West and the Northeast were not destined to permanent antagonism. By the mid-twenties the older section had felt the influence of the democratic spirit, the Northwest was entering a maturer stage marked by the growth of towns as centers of trade and manufacturing, and improved facilities for communication were drawing the two sections together—all of which revealed a partial harmony of interest which found political expression. How this came about, however, is the story, not of the decline of Federalism, but of the rise of a new party.

¹⁰⁶ March 15. *Ibid.*, VI, 15.

¹⁰⁷ Nov. 22. *Ibid.*, 35.

CHAPTER IV

THE DISRUPTION OF THE REPUBLICAN PARTY

1. THE ERA OF NATIONALISM

The exit of the Federalist party left the Republicans in triumphant possession of the field, but the Republican party of 1815 was far different from that of 1793 or 1798. Once firmly established in power, Jefferson and his friends found their views of the limits of federal authority greatly altered by their new situation. The functions of government might well be reduced to the minimum when performed by "aristocrats" but the *raison d'être* for restrictions disappeared in large measure with the advent of the party of the people. The Republicans took up the task of administration in 1801 with a boldness which soon made their change of temper evident even to the Federalists. "By downright demonstration," wrote Gouverneur Morris, "it is shown that the republican party were not dissatisfied because the power of the Government was too great, but because it was not in their hands."¹

The party which had been so transformed by possession of power was now to be disrupted by the forces of a new era. The usual characterization of the decade following the War of 1812 as an "era of good feeling" and personal politics but thinly veils the truth that deep-seated forces were working a revolution in the basis of parties. In later periods of party reorganization, the cause of realignment is found in social and economic changes. The rapidity of the nation's growth has brought forward new problems with each generation, and each generation has accordingly seen a reshaping of party lines. The dramatic history of the decade preceding the Civil War is the most striking example of this truth: despite the earnest efforts of all those who foresaw the disruption of the old parties if not of the Union, the slavery question then thrust itself irresistibly into politics, destroying the Whig organization, dividing the Democracy, and giving birth to the Republican party. Again, as the century drew to its close, the readjustment of national life to the scale of the great continent which had been

¹ To H. W. Livingston, Nov. 25, 1808. Morris, *Morris*, III, 443.

brought under the hand of man involved notable changes in national problems and in the spirit and program of parties, notwithstanding the persistence of old party names.

The connection of the dissolution of the old Federalist and Republican parties and the birth of the National Republican and Democratic organizations with social and economic forces has been less studied and is more difficult to trace. At later epochs new tendencies were perceived and conscious efforts were made to counteract them; party discipline, highly developed since the Jacksonian epoch, has ever shown itself fearful of new issues. At the earlier epoch, however, not only were party methods and machinery less highly developed, but discipline was slight, and there was less perception of the relations between parties as such and the problems of the day. The decline of the old organizations after 1815 was at that time rather welcomed than deplored.² The belief prevailed widely that parties were unnecessary and even undesirable agencies in carrying on government, and while much was said about sound principles, party loyalty was lightly esteemed and sometimes even denounced as the spirit of faction.³ A belief in the permanence of non-party government is implied, too, in the various proposals of the early twenties to amend the constitution in such a way as to prevent the quadrennial choice of the President by the House.⁴ But even while cherishing the belief that all might unite in support of the principles of true republican government, men were dividing into groups according to divergent interests, and, through the operation of unperceived forces, were moving directly towards the new party organizations of the later twenties.

The first parties, as we have seen, grew out of conditions as they existed at the beginning of the national period. In the in-

² A typical comment of the period is the following reference to Monroe's tour: "Everything like party seems entirely forgotten—Federalists and Democrats appear emulous who shall render him most honor. . . . There is reason to believe that Mr. Monroe will be the President of the United States, and not the President of a party; if so, he will command the support and esteem of the wise and virtuous of all parties, and retire from office amidst the benedictions of a grateful and happy people." *Winchester Gazette*, quoted by *Supporter*, July 1, 1817.

³ Perhaps the most famous expression of this kind is contained in Jackson's letter to Monroe, Nov. 12, 1816, just after the latter's election, in which he said: "Everything depends on the selection of your ministry. In every selection, party and party feeling should be avoided. Now is the time to exterminate that monster called party spirit . . . the chief magistrate of a great and powerful nation should never indulge in party feelings . . ." Par-ton, James, *Life of Andrew Jackson*, II, 357 *et seq.*

⁴ Ames, H. V., *Proposed Amendments to the Constitution* (in *Amer. Hist. Assn. Report* for 1896, II), 106 *et seq.*

terval between the adoption of the constitution and the presidency of Jackson an empire arose beyond the frontier of 1790 which exceeded the whole settled region of the former date in both population and area. The inhabitants of the United States according to the first census numbered somewhat less than four millions, of which, by the most liberal estimate, the entire transmontane region contained not more than two hundred and seventy-five thousand.⁵ Even under a regime of equal rights, this ratio of about one in fifteen would have been the measure of an almost negligible influence in the affairs of the nation. But the next generation saw a great change in the relative weight of the two sections separated by the Alleghanies. By 1830 Kentucky and Tennessee boasted nearly one million four hundred thousand people, the wilderness of western New York had become the home of nearly half as many, and transmontane Pennsylvania, Maryland, and Virginia contributed a like number to the total population of the West. Moreover, into the old Northwest, into the Gulf Plains, and even into the acquired territory beyond the Mississippi, had poured a flood of migration which had peopled these vast spaces with two and a half millions more. Thus it came to pass that the West of the Jacksonian era contained more than five million inhabitants, exceeding by more than one-fourth the population of the entire country at the epoch of the first census, while the area settled after 1790 exceeded that occupied before by two-thirds.⁶ As in population and extent, so in

⁵ This estimate is reached as follows: Kentucky, 78,877; Tennessee, 85,691 (Thirteenth Census, *Population*, I, 80); to which must be added figures for the population northwest of the Ohio River, and in the western counties of some of the old states. The first census did not include the Northwest Territory in the area of enumeration, but Governor St. Clair estimated the inhabitants at 4,000 (*Century of Population Growth*, 54). Jedediah Morse's estimate of 1792 was 7,820. (Cited *ibid.*) In New York, settlement had not yet passed the lake region, the whole western end of the state being embraced in Ontario County with about 1,000 inhabitants. (Twelfth Census, *Population*, I, 32. County maps of the states for 1790 are given in *Century of Population Growth*, 61-70.) The transalleghany portions of Pennsylvania, Maryland, and Virginia contributed about 160,000 to the total—Virginia counties now composing West Virginia, 55,878; Allegheny, Washington, Fayette, Westmoreland, Bedford, and Huntington Counties, Pa., as bounded in 1790, 84,211; Allegany and Washington Counties, Maryland, 20,631. As some of the population of counties included was intramontane rather than transmontane, the estimate of the text is generous, even without making allowance for Northumberland County, Pa., which lay beyond the mountains in part, but for which figures are not available. (Estimates based on statistics in Population volumes of Thirteenth Census, and maps in *Century of Population Growth*). Pitkin, T., *Statistical View*, 538, says: "In 1790, the whole population of this country . . . was only two hundred and thirty-seven thousand and eighty-four."

⁶ Kentucky, 687,917; Tennessee, 681,904; New York counties west of Syracuse, 625,452; Pennsylvania counties west of Bedford, 384,891; Washington and Allegany Counties, Maryland, 38,877; counties now composing West Virginia, 176,924. In Georgia, counties created west of the frontier of 1790 contained 281,612 persons in 1830. Adding the population of the

economic importance, the West of 1830 approached the whole United States of 1790. The value of the exports of 1790 is fairly matched by that of the surplus produce of the West forty years later, and the tonnage employed in export trade at the former epoch by that employed on the western waters at the latter.⁷ Of course, this transformation of the wilderness was partially counterbalanced by the growth of the older region, which shows an increase in population between 1790 and 1830 of about four millions. But the change in relative weight is indicated by a sixfold increase in the ratio of transmontane population to the total, and a corresponding movement westward of the center of population and of economic and political power. New states carved from what was wilderness when Washington was inaugurated elected more than one-third of the members of the House of Representatives under Jackson—more than all of the South Atlantic States and nearly twice as many as the whole of New England.⁸ The result was a disturbance of the former relations of economic groups. The weight of the commercial, manufacturing, agrarian, and planting interests was altered, and new adjustments, new combinations and alliances, necessitated. Politically the results were new issues, new sectional antagonisms

northwestern, southwestern, and transmississippi states and territories, the total for 1830 is 5,172,532. Pitkin's estimate (1835) was "between four and five millions." *Op. cit.*, 533.

In 1790 the settled area (at least two inhabitants to the square mile) measured 233,935 square miles; in 1830, 632,717. *Century of Population Growth*, 54.

⁷ Value of all goods exported from the United States for year ending Sept. 30, 1790, \$20,205,156. *American State Papers, Commerce and Navigation*, I, 84. "We hazard nothing in estimating the whole surplus production of what we have called the western country, in 1834, at from \$28,000,000 to \$30,000,000; being about fifty per cent. more than the whole exports of the United States in 1790." Pitkin, *Stat. View*, 534 et seq. If the Gulf region and lower Mississippi Valley were included in the estimate the total would be much larger.

Total tonnage, American and foreign, employed in export trade, 1789, 233,933. *Ibid.*, 352. Total tonnage employed on western waters, 1834, about 230,000. *Ibid.*, 536.

⁸ Representation in the House, compiled from Thirteenth Census, *Population*, I, 37:

	Apportionment of 1790	Just before Apportionment of 1830	Just after Apportionment of 1830
New England	29	39	38
Middle States	29	67	75
South Atlantic	45	60	60
West	3*	47	67

The relative decline of the old states is shown even more strikingly by the loss and gain in the representation of individual states, as the ratio of representation rose. Thus Massachusetts, represented by 14 members under the first apportionment, rose to 17 under that of 1800, but fell to 13 in 1810 and to 12 in 1830. Connecticut likewise fell from 7 in 1790 to 6 in 1830. On the other hand, states with a "West" within their bounds gained; Georgia's increase was from 2 to 9; New York's from 10 to 40; Pennsylvania's, 13 to 28; Virginia's, 19 to 21. After 1830 even New York felt the drain of the newer West and lost representation through the higher ratio, its delegation falling to 34, 33, and 31 at successive census periods.

*Kentucky 2, after 1792; Tennessee 1, after 1796.

and affinities, and finally new party groupings. As the development of the West was a prime cause of the disturbance of the old order and the source of many of the new issues, so its growth in political power made it a leading factor in determining the readjustment.

With the close of the War of 1812 the energies of the United States, for a quarter-century so largely concerned with European relations, were released for the furtherance of domestic interests. The reorganization of finances and the currency, and the attempt to organize the nation's resources as a means of preparation against the contingency of future war, were fruits of the conflict just closed which were presently overshadowed by the problems arising from the wonderful internal development of the country.⁹ The weight of these new problems fell upon that group of "Young Republicans" who had come forward with the war, and whose dominance had been foreshadowed by their success in forcing a war policy upon the pacifist president of the generation then passing from active life; and under the lead of Clay, Calhoun, Grundy, Cheves, and Porter this rising group approached its task overflowing with the spirit of a new nationalism which swept the country with the return of peace.

The experiences of the war period unmistakably taught the need of a larger exercise of federal power. The evils of irredeemable bank paper cried aloud for that remedy which had been denied in 1811 when the Republicans refused to recharter the United States Bank. The dependence of the country upon foreign sources of supply for manufactured goods of prime necessity, at a time when the enemy's ships patrolled the paths of ocean commerce, was a convincing argument in favor of that protection which Hamilton had advocated. The difficulty in handling troops and supplies in the frontier campaigns, because of the want of military roads, brought the question of internal improvements forward as one of the most pressing problems of the new day.

⁹ "What will you do for news now that Napoleon is vanquished?" Thomas Ritchie, editor of the *Richmond Enquirer*, asked himself in order to answer: "Have the Americans no water-courses to clear? No canals to construct? no roads to form? no bridges to erect? . . . " Ambler, *Thomas Ritchie*, 68. Contemporaries had a vague feeling that the close of the war would mark the beginning of a new era in politics. ". . . The great commotions of the old world, the effects of which were felt in both periods [Federalist and Republican] of our governmental history, have just ceased, and of course, the next administration will be placed in a situation, in many respects, unlike that of all their predecessors." *Albany Daily Advocate*, quoted by *Supporter*, Oct. 29, 1816.

By the logic of such events even the Old School leaders were swept into the current of the new nationalism. In his "Notes on Virginia," in 1785, Jefferson had written: "For the general operations of manufacture, let our workshops remain in Europe. It is better to carry provisions and materials to workmen there, than to bring them to the provisions and materials, and with them their manners and principles."¹⁰ But in 1816 he confessed to an altered opinion. "We have experienced what we did not then believe, that there exists both profligacy and power enough to exclude us from the field of interchange with other nations: that to be independent for the comforts of life we must fabricate them ourselves. We must now place the manufacturer by the side of the agriculturist. . . . Shall we make our own comforts, or go without them, at the will of a foreign nation? He, therefore, who is now against domestic manufacture, must be for reducing us either to dependence on that foreign nation, or to be clothed in skins, and to live like wild beasts in dens and caverns."¹¹

President Madison's message of 1815, frankly admitting that the doctrine of *laissez faire* was subject to exceptions, pled for such an adjustment of the tariff as would make for economic preparedness.¹² In the same message he called the attention of Congress to the "great importance of establishing throughout our country the roads and canals which can best be executed under the national authority," urging not only the economic value but "the political effect of these facilities for intercommunication in bringing and binding more closely together the various parts of our extended confederacy." A year later he recurred to the subject.¹³ Monroe, like his two predecessors, favored encouragement of domestic manufactures, declaring in his inaugural that "we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent the sudden event of war, unsought and unexpected, can not fail to plunge us into the most serious difficulties."¹⁴

¹⁰ See above, 37, f. n. 104.

¹¹ To Benjamin Austin, Ford, *Writings of Jefferson*, XIV, 389-393.

¹² "In selecting the branches more especially entitled to the public patronage, a preference is obviously claimed by such as will relieve the United States from a dependence on foreign supplies . . . for articles necessary for the public defence or connected with the primary wants of individuals." Richardson, *Messages of the Presidents*, I, 567.

¹³ *Ibid.*, 576.

¹⁴ *Ibid.*, II, 8.

In these utterances the veterans were but following "with caution and good heed" the new leaders upon whom had devolved the real initiative. The preparedness program of the new school was set forth by Clay in a speech in opposition to the reduction of the direct tax imposed during the war. The unsatisfactory state of our relations with foreign countries, he urged, was a warning of the possibility of further wars which made it prudent to increase the standing army and to augment the navy. As part of the same system of national defence, he wished the construction of roads and canals to unite the extremes of the country, and the protection of manufactures, both to provide a source of supply for our wants when commerce should be interrupted by hostilities, and to create resources the taxation of which in war time would replace the import duties.¹⁵ Clay's argument, vigorously seconded by Calhoun, was several times reiterated during the discussion of the tariff bill of 1816. "Whenever," said Calhoun, "we have the misfortune to be involved in a war with a nation dominant on the ocean . . . the moneyed resources of the country to a great extent must fail. . . . Commerce and agriculture, till lately almost the only, still constitute the principal, sources of our wealth. . . . They both depend on foreign markets. . . . Our commerce neither is nor can be protected by the present means of the country. What, then, are the effects of a war with a maritime power—with England? Our commerce annihilated, spreading individual misery and producing national poverty; our agriculture cut off from its accustomed markets. . . . The failure of the wealth and resources of the nation necessarily involved in the ruin of its finances and its currency. . . . When our manufactures are grown to a certain perfection, as they soon will be under the fostering care of Government, we will no longer experience these evils. The farmer will find a ready market for his surplus produce; and, what is almost of equal consequence, a certain and cheap supply of all his wants. . . . The arm of Government will be nerved; and taxes in the hour of danger . . . may be greatly increased. . . . To give perfection to this state of things, it is necessary to add, as soon as possible, a system of internal improvements, and at least such an extension of our navy as will prevent the cutting off our coasting trade."¹⁶

¹⁵ *Works of Clay* (Federal edition), VI, 83-99, esp. 98.

¹⁶ Gralla, R. K., *Works of John C. Calhoun*, II, 164-168.

It is plain that the emphasis in these discussions is laid upon the safety of the nation in time of war. The force of the tariff argument was derived from the relation of economic independence to national preparedness, and protectionism was fairly free in this stage from the suspicion of seeking to favor the manufacturing interest to the disadvantage of commerce or planting. Both of the great leaders disavowed such motives. "It was the duty of this country, as a means of defence, to encourage the domestic industry of the country. . . . I lay the claims of the manufacturers entirely out of view," said Calhoun.¹⁷ It may have seemed probable that commerce and agriculture would resume with peace substantially their ante-bellum status, and the patriotic appeal of the nationalist argument explains the small part which sectionalism played in the discussion of this tariff.¹⁸ Calhoun's explanation of his own attitude may be accepted as fairly typical of opinion in the non-manufacturing districts: "Coming, as he did, from the South, having, in common with his immediate constituents, no interest but in the cultivation of the soil, in selling its products high, and buying cheap the wants and conveniences of life, no motive could be attributed to him but such as were disinterested."¹⁹ Incidentally there appeared during this debate, however, a view which was soon to overshadow that which dominated in 1816. Calhoun had declared that "When our manufactures are grown to a certain perfection . . . the farmer will find a ready market for his surplus produce; and . . . a certain and cheap supply of all his wants. . . . To give perfection to this state of things, it will be necessary to add, as soon as possible, a system of internal improvements." In these words was foreshadowed a scheme of domestic development which would stress national self-sufficiency even more for the sake of economic prosperity than with the thought of safety in war time. This ideal appears now and then in the discussions, and was expounded with much force in the report of a committee of Congress, early in 1816, which predicted the beneficial results of protection in the following terms: "Different

¹⁷ *Annals*, Fourteenth Cong., 1 sess., 887.

¹⁸ See below, 117, for opposition to this bill.

¹⁹ *Annals*, Fourteenth Cong., 1 sess., 1829. With the views of Clay and Calhoun contrast those of Ingham, of Pennsylvania, a member of the Ways and Means Committee, who urged that protection should not be confined to articles indispensable in time of war and of first necessity in time of peace. Stanwood, E., *American Tariff Controversies in the Nineteenth Century*, I, 148.

sections of the union will, according to their position, the climate, the population, the habits of the people, and the nature of the soil, strike into that line of industry which is best adapted to their interest and the good of the whole; and active and free intercourse, promoted and facilitated by roads and canals, will ensue. The states that are most disposed to manufactures, as regular occupations, will draw from the agricultural states all the raw materials which they want, and not an inconsiderable portion also of the necessities of life; while the latter will, in addition to the benefits which they at present enjoy, always command in peace or in war, at moderate prices, every species of manufacture, that their wants may require. Should they be inclined to manufacture for themselves, they can do so with success, because they have all the means in their power to erect and to extend at pleasure manufacturing establishments. Our wants being supplied by our own ingenuity and industry, exportation of specie to pay for foreign manufactures will cease."²⁰

Here, then, is an adaptation of Adam Smith's theory of free trade among nations in which the great sections of the Union take the place of nations, and Smith's ideal world economy is replaced by a theory of national self-sufficiency based upon the vastness and diversity of resources of the different parts; the sections, bound together by improved means of communication and transportation, should become reciprocally dependent but collectively independent of the rest of the world. This scheme of a national economy, destined to become known as the "American System," soon supplanted the preparedness program of the New Republicans. The phrase was due to Clay, with whose name the policy came to be most closely associated. When Calhoun withdrew from the congressional forum to accept the war portfolio in Monroe's cabinet, Clay became the central figure in the group, and it was he who

²⁰ *Annals*, Fourteenth Cong., 1 sess., 1865 et seq. Cf. P. B. Porter's recognition of the division of the United States into eastern and western sections by the mountains, with the agriculturists on the one side and the merchants and manufacturers on the other. This diversity, which it had been asserted would lead to separation, he believed, might be made the means of closer union: "It will be obviously for the interests of the interior States to exchange the great surplus products of their lands, and the raw materials of manufactures, for the merchandise and manufactured articles of the Eastern States, and on the other hand the interests of the merchants and manufacturers of the Atlantic will be equally promoted by this internal commerce; and it is by promoting this commerce by encouraging and facilitating this intercourse—it is by producing a mutual dependence of interests between these two great sections, and by these means only, that the United States can ever be kept together." *Annals*, Eleventh Cong., 1 and 2 sess., 1888.

gathered together the hints and suggestions of lesser men, harmonizing and systematizing them, and finally giving them their clearest and most convincing form of expression. The depression of all branches of industry during the early twenties, by centering attention upon the need of remedial measures, did much to crystallize the theory, which reached maturity about 1824.²¹ "We have shaped our industry, our navigation, and our commerce, in reference to an extraordinary war in Europe, and to foreign markets which no longer exist," said Clay, in discussing the tariff bill of 1824.²² "The consequence of the termination of the war of Europe has been the resumption of European commerce, European navigation, and the extension of European agriculture and European industry in all its branches. Europe, therefore, has no longer occasion, to anything like the same extent as that she had during her wars, for American commerce, American navigation, the produce of American industry." Continuing, he explained the relation of the market for the surplus produce of all forms of labor to the prosperity of society, and pointed out that the surplus produce of the United States was increasing much more rapidly than the consuming power of Europe. Besides, it was the policy of European states to reject the food products of America, in order to foster their own agriculture; receiving only those raw materials for their factories which they could not produce. "A genuine American policy," while cherishing the foreign market, would create also a home market for the products of our agriculture "in all its varieties, of planting, farming and grazing." "If we cannot sell, we cannot buy." European manufactures cannot be had by the American farmer who has nothing the foreigner will take in exchange. Nor, since the planter cannot purchase the entire surplus of the farmer, can his staple exports pay for the imports of both. The establishment of manufactures would create a home market for the planter

²¹ The prominence of the West in the agitation for increased protection, while the Act of 1816 was still in force, is noteworthy. In Pittsburg, one of the earliest centers of manufactures beyond the mountains, it was found that the depression from which her factories suffered extended to the farmers, by curtailing the local market for their surplus. McMaster, *History of the People of the United States*, IV, 844. The mutual dependence of farm and factory was thus shown by an object lesson. Baldwin, of the Committee on Manufactures, who reported the tariff bill of 1820, represented the Pittsburg district. In reporting the bill he tried hard to meet the criticism of those who contended that protection favored particular interests at the expense of the nation as a whole. "If this bill . . . cannot be supported on nation principles, we are willing that it should fall, and that its fate shall be ours." *Annals*, Sixteenth Cong., 1 sess., II, 1916 *et seq.*

²² *Works of Clay* (Federal edition), VI, 254-294. Cf. speech on bill of 1820, *ibid.*, 219-287.

and farmer, and a source of supply for their necessities by way of exchange. "The superiority of the home market results, first, from its steadiness and comparative certainty at all times; secondly, from the creation of reciprocal interest; thirdly, from its greater security; and, lastly, from an ultimate and not distant augmentation of consumption (and consequently of comfort) from increased quantity and reduced prices. But this home market, highly desirable as it is, can only be created and cherished by the protection of our own legislation against the inevitable prostration of our industry which must ensue from the action of foreign policy and legislation."²³

2. DEVELOPMENT OF ECONOMIC LIFE AND THOUGHT OF THE WEST

Although they spoke in terms of nationalism, the Republican leaders voiced the demands of the rising western section of the Union. Whether he led or followed, Clay's opinions especially, except in the matter of the Second United States Bank,²⁴ show a remarkable correspondence with western sentiment. [During the years 1815 to 1830, the western movement, swelled by many favoring influences, reached unprecedented volume. By 1815 the older transallegany settlements were already well out of the pioneer stage, and the frontier line was advancing in form of a wedge the point of which was rapidly ascending the Missouri, while the irregular sides slanted back to the northeast and southeast, crossing Illinois and Indiana well south of the center, and following roughly the Tennessee boundary and the Oconee River on the South.) The banks of the Mississippi bore scattered settlements, and the State of Louisiana formed a kind of island of population lying in advance of the main frontier. Within a few years after the signing of the Peace of Ghent, the acquisition of Florida and a series of treaties with the Indian tribes, now lacking the support of foreign influences, opened to white occupation vast tracts in the Northwest and Southwest. The land laws of 1820 and 1821 made easier than ever before the acquisition of land by the poor pioneer, while the vast extent of the frontier favored the squatter by diminishing the prob-

²³ Cf. nationalism of the speech of Martindale of New York on this bill. *Annals*, Eighteenth Cong., 1 sess., I, 1631.

²⁴ See below, 125, f. n. 82.

ability of government interference. The diversion of New England agriculture from grain raising to wool-growing and dairying, under stress of competition with the fresh lands of the West, displaced a portion of the population which, not taking kindly to labor in the rising factories, joined the westward-moving stream. The culture of short-staple cotton, made profitable by the gin, was invading the southern piedmont, displacing the small farm economy and converting the farmer into a planter or driving him to the frontier in Alabama or Illinois.²⁵

Prior to 1840, most of New England's contribution to this migration was absorbed by western New York, that portion of it which reached the Northwestern states furnishing only a sprinkling in the total population.²⁶ For several years after 1815, indeed, the chief element in the settlement of both Northwest and Southwest was supplied by that "piedmontese" stock which had pioneered the way into the transalleghany country a generation before, and which now felt a new impulse in the push of the advancing plantation system. The spread of this stock from its original western centers and the addition of newcomers from its old seats bore fruit before 1820 in the four new states of Indiana, Illinois, Mississippi, and Alabama.²⁷ For a decade after the war, however, the Ohio Valley was the heart of the West, and this region, where society was in the making, was in this period coming rapidly to self-consciousness, and was not backward in voicing the demand that its interests be promptly and effectively provided for.

The significance of the rise of this new section has been indicated by a recent writer in the statement that the "improvement in the economic condition of the West which set in about the time of the second war with England, and which in a decade or two entirely changed the relation of that region to the rest of the country," is "the most important event in our economic history during the first half of the nineteenth century."²⁸ Contemporaries were not unaware that the star of economic and political empire was passing westward. The course of the Federalists for years is proof of this.

²⁵ Turner, F. J., *Rise of the New West*, Chaps. 1-6.

²⁶ Mathews, L. K., *Expansion of New England*.

²⁷ As late as 1850, one-third of the population of Indiana consisted of Carolinians and their children. Turner, F. J., "Dominant Forces in Western Life," in *Atlantic Monthly*, LXXIX.

²⁸ Callender, G. S., "Early Transportation and Banking Enterprises," in *Quarterly Journal of Economics*, XVII, 116 et seq.

Excepting in New York, Pennsylvania, Maine, and Georgia, which still included unsettled areas within their bounds, the population of the coast states had come almost to a standstill, and the exodus was so great as to cause grave concern to the authorities.²⁹ Inquiries were made under legislative authority, especially in the South, to discover what could be done to counteract the attractions of the West, and resulted in numerous schemes of internal improvements by states to facilitate the marketing of the produce of the interior farms.³⁰ Privately, far-sighted men were advising the younger generation to "Go West." Even King, the last presidential candidate of the Federalist party, held the opinion that "Unless the navigation and commerce of the United States become more extensive and prosperous, the Northern States will continue to lose their importance, and, with this, their population and wealth will be certain to suffer. If we are not to be commercial, but agricultural, and, if you please manufacturing, the Western country ought, and will be, the favored region in which both will prosper."³¹

The story of the economic development of the West during its first half-century is an epitome of the history of the evolution of modern industrial society. From the self-sufficing household it advanced to a local economy, then to a provincial, and before the mid-twenties was the advocate of a national economy.

The transallegany pioneer had found himself cut off from the rest of the world by stretches of unpeopled wilderness and mountain. Thrown upon his own resources, his first productive efforts were consumed in securing the rudest necessities of existence. The scanty yield of his crude agriculture was supplemented by the use of the rifle, and his manner of life sank almost to the level of that of the savage. No division of labor was possible except within the household, which constituted a self-sufficient economic unit. Such was the economy which moved westward with the frontier, but the older settlements emerged from this primitive stage as the pro-

²⁹ The following is a typical press comment of the period: "That alarming disease denominated the *Ohio fever*, (says a New-Hampshire paper) continues to rage in many parts of New-England, by which vast numbers are taken off. In Connecticut it has spread to such a surprising extent, that Gov. Wolcott, considers 'an investigation of the causes which produce it as by far the most important subject which can engage the attention of the legislature.'" *Supporter*, Aug. 12, 1817.

³⁰ *Niles Register*, IX, 149, 165.

³¹ To Gore, Nov. 5, 1816. King, *Life of King*, VI, 32-34. His forecast was probably a factor in the decision of his son Edward to settle in Chillicothe, Ohio, where he began to practice law at the close of the war.

duction of the farmer became more than sufficient for the requirements of his own family. An agricultural surplus meant the possibility of exchange by the farmer for the products of the labor of others; it meant the possibility of distant commerce and of local division of labor, and in a measure it resulted in both. Isolation affected the West, however, much as commercial restrictions and war did the old states; or to vary the comparison, it was equivalent to high duties on imported goods. [The vast distances which separated the new settlements from the markets of Europe and the Atlantic coast, and the mountain barrier which interposed along the direct routes to the East, made all intercourse with the rest of the world so difficult that the West was compelled so far as possible to manufacture for itself.³²

With this differentiation of economic activity, exchange began between town and country, the farmer finding a home market in supplying the needs of men of other occupations, and receiving in his turn the products of the craftsman.) Thus the West entered the second stage of its economic development. The first manufactures were, as the term literally implies, handicrafts, but the application of power to machinery appeared early in the form of mills for grinding wheat and corn, driven by wind, water, or horsepower. (By the beginning of the War of 1812, factories were rising in the upper Ohio Valley. Even as early as 1809 Cincinnati had two cotton mills, and at about that time a factory was erected there for the production of cotton and woolen machinery.³³ Within a half-dozen years its output became considerable, and mills for the manufacture of various fabrics, operated by steam power, were

³² Early observers found in the isolation of the West an omen of prosperity. Harris, who visited the West at the beginning of the nineteenth century, commented: "So circumstanced they will be provident of their use of foreign articles, they will prevent their need of many of them by setting up various manufactures, the raw materials of which they so abundantly possess, and thus supply other places without needing or being able to receive any return but specie. The consequence will be that this interior country must every year become more independent of other countries, more prosperous, and more happy." *Journal of a Tour into the Territory Northwest of the Alleghany Mountains*, 1808, in Thwaites, *Early Western Travels*, III, 180.

The West, like the East, felt to some extent the impulse due to the artificial restrictions on foreign commerce in the form of the embargo and non-intercourse acts, as may be seen from the message of Governor Huntington, of Ohio, in 1810, directing attention to the benefits of home manufactures: "The embarrassments imposed on our commerce by foreign nations, has [*sic*] turned the attention of the people in many of the states to domestic manufactures. Some establishments for that purpose have been commenced in this state" Message printed in *Supporter*, Dec. 22, 1810.

³³ Goodwin, F. P., "The Rise of Manufactures in the Miami Country," in *Amer. Hist. Rev.*, XII, 768.

built throughout the Valley from Pittsburg and Steubenville to Lexington and Cincinnati.³⁴

Within a decade of the close of the war, the manufactures of the region attained considerable proportions and variety, including steam engines, agricultural implements, carriages and wagons, milling machinery, hats, caps, cloth and clothing, hardware, nails, copper, tinware, glass, pottery, brick and lime, soap and candles, flour, leather, lumber, liquors, packed meats, linseed oil, paints and cordage.³⁵ Large quantities of these products were marketed not only in Ohio, Kentucky, and Indiana, but in the lower Mississippi Valley,³⁶ and engaged a considerable percentage of the population in the more advanced communities.³⁷

This extension of the scope of western industry ushered in what we have called the provincial era, covering roughly the decade following the war. The contemporary expansion of the plantation system in the South enlarged the market for the produce of western farms, and gave the means with which to command goods imported from quarters of the globe where the West sold nothing. The western attitude towards industry and trade at the beginning of this epoch is indicated by the opinion of one of Cincinnati's leading residents: "To convert into manufacturers the hands engaged in clearing and improving a new country, would be a mistaken policy. . . . In the case in which a new country is contiguous to an older, of dense population, which can exchange manufactures for subsistence, it may even be advisable to defer manufacturing in the former to a late period. But where a new country must transport its surplus agricultural production to a great distance, and import the necessary manufactures from shops equally remote, it may be advisable to commence manufacturing much earlier. It must not, however, attempt to convert its farmers into tradesmen. They should be imported instead of their manufactures. The ranks of agriculture would then remain entire; the simple process of

³⁴ Lippincott, Isaac, "Pioneer Industry in the West," in *Journal of Political Economy*, XVIII, 269 et seq. Gephart, W. F., *Transportation and Industrial Development in the Middle West*, 90-94.

³⁵ *Ibid.*, and Goodwin, "Rise of Manufactures," 764.

³⁶ *Ibid.*, 762.

³⁷ The census of 1820 divided persons in gainful occupations into three classes: those engaged in agriculture, commerce, and manufactures. In the counties of the Miami Valley the percentage of the industrial population engaged in manufacturing (probably including household as well as shop industries) varied from eleven in Preble County to twenty-five in Butler. *Ibid.*, 774.

barter at home be substituted for expensive and hazardous commercial operations; and the immigrating manufacturers with their increase become an addition to the population."³⁸

As early as 1810 Governor Huntington of Ohio had declared in his message: ". . . . The heavy charges attending the introduction of foreign manufactures, so far into the interior, all point out the expediency of making every public, as well as private, exertion, to establish, on a permanent foundation, such manufactures, at least, as are of first necessity. . . . Manufactures would afford a market for the productions of our soil, and enable us to do without the merchandise of other countries. . . ." ³⁹ "The enormous price which everything of foreign growth or manufacture bears at the present day must convince us that we cannot too soon commence our independence of other nations by growing and manufacturing for ourselves," wrote a newspaper contributor in 1814.⁴⁰ "If for the solid products and labor of the country exported, and far beyond it, articles of luxury and superfluity are introduced into the country, the necessary tendency is, to impoverish and weaken it. . . . What we do manufacture is better generally than that which we import . . . and when we consider further that whatever is manufactured among ourselves is free of the expense of duty and transportation, it is our duty . . . to examine our own resources and bring them into action and use."⁴¹ So wrote the Governor of Ohio in 1817. He admits, indeed, that "if in our intercourse with other nations, we could on our part give in exchange such articles as we can grow or manufacture most advantageously, for such others as our own comfort and circumstances may require, such a course of change would operate beneficially." But he held that such is not the situation of the West, and concluded that "as far as circumstances will permit, every community should rely on its own resources." The evil of buying more than the exports from the western country paid for, hinted at in this message, involved the additional evil of payment of trade balances in specie, much to the embarrassment of the circulation in the West. To these economic motives favoring western manufactures were joined at the close of the war patriotic considerations derived from the British origin of most of the imported

³⁸ *Ibid.*, 770, quoting Drake, *Natural and Statistical View of Cincinnati*, 8.

³⁹ Printed in *Supporter*, Dec. 22, 1810.

⁴⁰ *Western Spy*, cited by Goodwin, "Rise of Manufactures." (Issue of January 29.)

⁴¹ Gov. Worthington. Message printed in *Supporter*, Dec. 9, 1817.

goods. "How shall we find a remedy for this ruinous British trade, which . . . drains us of our specie," became the cry, and the Cincinnati writer who voiced it was ready with the answer: "We can manufacture almost every article of British manufacture that we drag over the mountains at such enormous expense. . . . Put in operation in Cincinnati manufactures for woolen cloth, for cotton cloth, for . . . every article which . . . can be manufactured in Cincinnati. Let the money which we send over the mountains be paid the manufacturers in Cincinnati." ⁴³

These expressions of opinion are evidence of the desire for an economy adjusted to the stage of development which had been reached by the provincial West. The inconvenience of intercourse with the East created a desire for self-sufficiency, and local manufactures lessened the hardships of semi-isolation. The banking and currency system conformed to the provincial situation. In the West as elsewhere numerous state banks sprang up after the refusal of Congress to recharter the United States Bank, in 1811, and in view of the scarcity of specie, the nearest approach to a sound currency possible was the issues of these banks, on the basis of specie reserves. Lax as were the current laws regulating banking operations, there was a general appreciation of the importance of maintaining a sufficient supply of specie to support the paper of the banks, and bankers who endeavored to conduct their business in good faith did not venture to issue paper in excess of two or three times the amount of specie held in reserve. The states usually imposed some such restrictions upon the banking corporations holding charters,⁴⁴ but institutions of various descriptions circulated notes without authority of government, and in practice the test of the soundness of the issuing concern was payment of its notes in specie on demand.⁴⁵ Such a currency served fairly well, on the whole, in transactions in the neighborhood of the issuing banks, but the inconvenience and cost of exchange in distant trade relations added to the other impediments in the way of such trade, and to the reasons for confining trade within the western country.

⁴³ Goodwin, "Rise of Manufactures," 769.

⁴⁴ *E. g.*, the Ohio law of 1816 limited debts, including notes, above deposits, to three times the paid-in capital stock, of which one-half at least must be specie.

⁴⁵ *Cf.* Huntington, C. C., *A History of Banking and Currency in Ohio before the Civil War*, 37, 65-66. Near the end of the war, specie payments were suspended by the western banks, but normal conditions, according to contemporary standards, were restored soon after the war closed and lasted for a short time. *Ibid.*, 52, 55.

The provincialism of the West was intensified, too, by the fact that the governments of the new states were often interested in the operations of the chartered banks and shared in their profits under various plans.⁴⁵

The attacks of western states on the branches of the Second United States Bank resulted from this provincial attitude. The branches were accorded a lukewarm welcome at first, because it was believed that they would bring into the country large sums in specie to provide the basis of their note issues. It was soon rumored, however, that the capital of the branches consisted chiefly of the notes of local banks, and that the specie for their operations was obtained by presenting these notes for redemption. The continual presentation of local bank notes for payment in specie and the remittance of it eastward in settlement of trade accounts was taken as proof that the Bank and its branches was a mechanism for draining the interior states of their specie; the contraction of the local bank circulation made necessary by the specie drain made it more difficult to obtain accommodations and was believed to have an adverse effect upon prices and trade conditions in general; and the lack of any profit in or control over the operations of the branches by the state governments aroused a hostility which was well-nigh universal, and led to the attempts of Ohio and Kentucky to tax.⁴⁶ Contemporary criticisms of the Bank remind us that the Ohio Valley bore a relation to the seaboard in financial matters in 1818-1820 similar to that held by the "back settlements" in the eighteenth century.⁴⁷ From this time can be traced, too, the beginnings of a "hard money" sentiment in the Ohio Valley which was to be a factor in the history of Jacksonian Democracy in the thirties.⁴⁸ Early in the twenties the West began to realize that the bank was not the cause of the drainage of specie to the eastward, and to attribute it to the unfavorable course of trade. With

⁴⁵ The common rate of profit varied from 7 to 9 per cent., while states could borrow at 5 and 6. Kentucky, Tennessee, Indiana, and Illinois at one time or other sold bonds and invested the proceeds in bank stock. The Ohio legislature, by an act of 1816, offered to extend the charters of those banks which would transfer to the account of the state one share in twenty-five of their stock. Callender, "Early Transportation and Banking Enterprises," 161; Huntington, *History of Banking*, 45.

⁴⁶ Chillicothe, where one of the branches was located, was a storm center in the period of contest, and the story of the war on the bank can be followed to advantage in the columns of the local papers, such as the *Supporter*, beginning about 1818. Of especial interest are the essays of "X. Y.," running through the summer of that year. The question was an issue in state politics that year and the next.

⁴⁷ Cf. communication of "Logan," in *Supporter*, Sept. 16, 1818.

⁴⁸ Cf. communications of "A Countryman," in *Supporter*, July 29 and Sept. 2, 1818.

this the opposition to the Bank ceased,⁴⁹ leaving, however, an aftermath of ill-will that proved injurious to Clay in the campaign of 1824, and might have warned him against making re-charter the issue in the election of 1832.⁵⁰

But the hope of western self-sufficiency could not be made a reality. During the handicraft stage the West did, indeed, to a large extent import artisans instead of goods, supplying the equipment for its primitive industries by the labor of immigrant smiths, wheelwrights, carpenters, and tanners.⁵¹ But the abundance of cheap land was the lure which drew the great majority of the newcomers, and despite the notable growth of manufacturing activity it did not keep pace with the expansion of agriculture.⁵² Although the needs of newcomers before their own lands became productive added measurably at times of large immigration to the demand for the agricultural surplus, at no time did the surplus find the local market sufficient, and the desire for an adequate market made war upon the ideal of self-sufficiency. In spite of the obstacle of distance, almost from the beginning the surplus flour, grain, tobacco, and meat of Kentucky sought an outlet by way of the Mississippi to the West Indies and Europe, and from an early date grain found a way out also in the form of the easily transported whiskey. Cattle and hogs, too, could be driven across the mountains, and this phase of western commerce became of great volume.⁵³ Up the river came specie in payment for these exports, and notwithstanding the heavy cost of transportation, over the rough mountain roads lum-

⁴⁹ "You never would hear a word about the mismanagement of the Bank of the U. States, if it had not been for the exportation of specie. . . . The real pure, and uncontaminated source of the ruin that is involving our country, is the permission by government of a trade that impoverishes the country, and a total neglect of manufactures. . . ." "A Friend to His Country," in *National Intelligencer*, quoted by *Supporter*, April 7, 1819. Cf. quotations from *Pittsburg Gazette*, in issues of December 9, 1818, and April 14, 1819. Governor Brown, in his message of 1820, informed the legislature of Ohio that "money, rather than security, will probably continue to be required in negotiations, till the payment [of debts due to the eastward] shall be nearly completed." Then credit will revive and hoarded coin be placed in circulation. *Supporter*, Dec. 14, 1820.

⁵⁰ See below, 185.

⁵¹ By 1799, Cincinnati newspapers carried the cards of blacksmiths, millers, saddlers, hatters, dyers, tanners, bakers, potters, gunsmiths, and cabinet-makers. Goodwin, "Rise of Manufactures," 761.

⁵² "The attraction of the laboring class to the vacant territory . . . is the great obstacle to the spontaneous establishment of manufactures, and will be overcome with most difficulty wherever land is cheapest, and the ownership of it most attainable." Madison to Clay, April 24, 1824. *Works of Clay* (Federal edition), IV, 91.

⁵³ Cattle were driven overland from Ohio to Baltimore as early as 1804. Gephart, *Transportation and Industrial Development*, 85. By 1810, 40,000 hogs were driven annually from the state to the east. *Ibid.*, 103, quoting Kibbourn's *Ohio Gazetteer for 1818*. Cf. Pitkin, *Statistical View*, 534 et seq.

bering wagons carried many imports to fill the debit side of the trade account. But the disadvantage under which the West carried on all trade with distant parts even of the United States may be seen from the cost of freight. To eastern Ohio the rates overland from Philadelphia and Baltimore, and by way of the Mississippi from New Orleans, were about the same, averaging nearly \$7 per hundred weight.⁵⁴ Such rates forbade the transportation of bulky articles by land to the cities of the Atlantic coast. Down river freights were much lower, and yet at times prohibitive in view of prices obtainable for produce in the New Orleans market.⁵⁵ The obstacles to river navigation resulted in an alternate dearth and glut of the market, attended by great fluctuations in prices and misleading quotations. The bulk of the exports of the upper valley regularly arrived at about the same time, with the spring rise of the water, and often so depressed the market as to occasion loss to the shippers.⁵⁶ Even these precarious trade opportunities were accessible only to those whose farms lay near navigable streams, for the cost of carrying grain over unimproved country roads consumed its value in a short haul.⁵⁷

The cost of transportation reduced the price of all western exports and increased that of all imports. The disadvantage of the West in such exchange was reduced by contemporaries to the estimate that it required four bushels of corn to buy at Cincinnati what one bushel would command at Philadelphia.⁵⁸

Yet the abundance of the fruits of the soil seemed to mean the power to command the wealth of the world if the natural im-

⁵⁴ The following are typical rates, compiled by recent secondary writers:

Philadelphia and Baltimore to Lexington, 1802, \$7 to \$8.

New Orleans to Zanesville, 1818, \$6.50.

New Orleans to Pittsburg, 1786-1815, \$6.75.

New Orleans to Shawneetown, 1817, \$4.50.

Shawneetown to Pittsburg, \$3.50.

New Orleans to Louisville, 1818, \$6.25.

Philadelphia to Cincinnati, average \$7 to \$8.

⁵⁵ Lippincott, "Pioneer Industry," gives the rate from Shawneetown to New Orleans in 1817-1818 as \$1.00 per cwt. In 1819 the rate of 25 cents per bushel on corn from Vincennes to New Orleans absorbed all profit.

⁵⁶ The *Supporter*, issue of Jan. 13, 1819, quotes from a letter written at New Orleans: "Flour very scarce and is worth 15 and 20 dollars per barrel . . ." The following May flour was worth in the New Orleans market \$5 to \$5.50 per barrel. *Ibid.*, June 16, 1819.

⁵⁷ "About the year 1805, the usual price of carriage over the country roads was stated to have been 50 cents for 100 pounds for every twenty miles. At this rate corn, which before 1835 rarely sold for as much as 35 cents per bushel, would not stand the expense of moving twenty-five miles, even tho' it had been produced without cost. On the same basis, the area in which wheat could be sold at a profit to the farmer was limited to a radius of from fifty to seventy-five miles." Lippincott, "Pioneer Industry."

⁵⁸ Goodwin, "Rise of Manufactures," 768.

pediments to commerce could but be overcome. The one town of Circleville, located near the head of navigation on the Scioto, sent down the river in the year 1822 exports worth approximately one hundred thousand dollars, and according to local opinion, the community could have supplied ten times the amount with proper facilities for transportation.⁵⁰ Eleven years earlier the neighboring town of Chillicothe sent off fifty loaded boats in the month of February, occasioning the declaration that "If the rivers were improved so that a market could be reached the supply of corn, wheat, cattle, hogs, and hemp which could be furnished by the region would be enormous."⁵¹

The conditions in these two towns are typical of those which prevailed for many years in every surplus-producing area of the maturer West. The insufficient local market did not supply an adequate incentive to stimulate the farmer to the maximum productive effort, and indolence as well as poverty resulted. "Notwithstanding the great fertility of our soil," wrote Governor Worthington of Ohio in his message of 1816, "if the surplus produced from it, beyond our own consumption, does not command a price sufficient to reward the husbandman, the spring to industry is in a great measure destroyed."⁵¹

The obvious remedy seemed to be the improvement of transportation facilities in order that western produce might cheaply reach the distant market. "If we would raise the character of our state by increasing industry, and our resources, it seems necessary to improve the internal communications; and to open a cheaper way to market for the surplus produce of a large portion of our

⁵⁰ Gephart, *Transportation and Industrial Development*, 108, quoting Olive Branch, March 18, 1822.

⁵¹ *Ibid.*, 101.

⁵¹ Printed in *Supporter*, Dec. 10, 1816. Cf. speech of P. B. Porter in Congress, 1810: "The great evil, and it is a serious one indeed, under which the inhabitants of the western country labor, arises from the want of a market. There is no place where the great staple articles for the use of civilized life can be produced in greater abundance or with greater ease, and yet as respects most of the luxuries and many of the conveniences of life the people are poor. They have no vent for their produce at home, and, being all agriculturists, they produce alike the same article with the same facility; and such is the present difficulty and expense of transporting their produce to an Atlantic port that little benefit is realized from that quarter. The single circumstance of want of a market is already beginning to produce the most disastrous effect, not only on the industry, but on the morals of the inhabitants. Such is the fertility of their land that one-half their time spent in labor is sufficient to produce every article which their farms are capable of yielding, in sufficient quantities for their own consumption, and there is nothing to incite them to produce more. They are, therefore, naturally led to spend the other part of their time in idleness and dissipation." *Annals*, Eleventh Cong., 1 and 2 sess., 1805 et seq. Similar views are to be found in western newspapers. See, e. g., "Julius" to "Edwin," in *Supporter*, May 18, 1811.

fertile country," declared Governor Brown, Worthington's successor, in 1818.⁶²

For the next few years it is doubtful if any single policy so united sentiment in the Ohio Valley as the policy of internal improvements. It is the constant theme of editors, newspaper writers, legislators, and governors, who discuss it in all phases, local, state, and national. The coming together of the diverse elements of the Ohio population in opinion concerning the interests of the western country is one of the best evidences of the real fusion of Federalists and Republicans.⁶³ In the late twenties the National Republicans and Democrats of Indiana were still in accord on the question of internal improvements within the state.⁶⁴

(The western population contemplated the benefits to be derived from access to the world's markets with an enthusiasm which was for some time unchecked by any doubt of the power and readiness of those markets to absorb all the produce it could offer. The steamboat promised relief from the high freight charges on imports brought by wagon, and its advent was hailed with delight.) "The improvement of our barges and steamboats insure [*sic*] within two years the total supply by the Mississippi and Ohio Rivers of many articles which are now wagoned from Baltimore and Philadelphia, and our exports will then be commensurate with our imports. Our flour, pork, tobacco and whiskey will return in calicoes, hardware, coffee, cotton, sugar, bartered for at New Orleans. There was never such a prospect for improvement and trade at one time on any portion of the globe as that which is now exhibited to western America."⁶⁵ These great expectations were doomed to suffer a measure of disappointment. (The steamboat did, indeed, reduce the time required to bring freight from New Orleans to Louisville from about three months to a week or eight days, with a corresponding lowering of charges,⁶⁶ but the full realization of its benefits was postponed for a time by the contests over the mo-

⁶² *Supporter*, Dec. 23, 1818.

⁶³ See above, 61-62.

⁶⁴ Esarey, *History of Indiana*, 304. Cf. interest of the seaboard in improving means of communication with the interior for the sake of its trade. New York, Philadelphia, and Baltimore became rivals in the race for the commerce of the Ohio Valley. Even Virginia had hopes of competing with the northern states by connecting the James and Kanawha rivers. An ardent advocate of this project was Thomas Ritchie, of the *Richmond Enquirer*. Ambler, *Ritchie*, 64-65.

⁶⁵ Gephart, *Transportation and Industrial Development*, 79, quoting *Brownsville Telegraph*, Aug. 14, 1815.

⁶⁶ Lippincott, "Pioneer Industry," quoting *Edwardsville Spectator* of June 5, 1819, and March 22, 1825.

nopoly claimed by the inventors, and the abandonment of their claim about 1818, although the number of steamers plying the Ohio and Mississippi increased for a year or two, was followed by hard times which prevented rapid expansion of the river trade.⁶⁷

The project of a canal connecting the lakes and the Hudson likewise aroused great interest in the Ohio Valley, but especially in the northern half of Ohio. In 1812 the New York legislature appealed to Ohio and other western states for aid,⁶⁸ and in 1816 renewed the invitation to Ohio by means of a letter from DeWitt Clinton to Governor Worthington, which the latter transmitted to the Legislature with the recommendation that investigation be made as to the practicability and expense of the scheme. If the results of the investigation were satisfactory, he thought "it will become the duty of the people of Ohio to give all the aid in their power towards effecting an object in which they are so deeply interested."⁶⁹ Although Ohio did not join in the building of the Erie canal, the prospect of the completion of the New York waterway awakened interest in the construction of a connecting system between Lake Erie and the Ohio River, and started an agitation which culminated in the undertaking of a state system in the late twenties.⁷⁰

Thus, as in the case of the steamboat, realization of benefit was postponed for some time, but meantime interest was maintained by the newspapers and by reports of the canal commissioners

⁶⁷ Gephart, *Transportation and Industrial Development*, 74, 81.

⁶⁸ *Ibid.*, 110-111; Phelan, *Tennessee*, 276 et seq.

⁶⁹ *Supporter*, Dec. 17, 1816.

⁷⁰ McClelland and Huntington, *History of the Ohio Canals*. Enthusiasm for an Ohio system was by no means confined to the northern portion of Ohio, but extended to the river towns. The *Cincinnati Inquirer Advertiser* for July 24, 1820, has a two-column editorial on the progress of the Erie work, the certainty of success, the benefits to result, the effects on Ohio, and the desirability of canals connecting the lake and river. The article is noteworthy because of the recognition that economic unity of Ohio and western New York would result. Western New York, Pennsylvania, and Virginia have much in common with the Ohio Valley throughout the period. In the issue of August 8 is another editorial on the same lines, in which occur the following words: "Should Ohio . . . imitate [New York] . . . we should be able to send the immense surplus produce from nearly every part of our rich and fertile territory to the city of New-York at less expense than we can now transport it to New-Orleans, and be able to return with groceries and other heavy articles of common necessity at one-third of the expense we are now compelled to pay for the transportation of the same up the Mississippi and Ohio rivers . . ."

Soon after this an article appeared in the *Louisville Public Advertiser*, inspired by canal editorials in the *Inquirer*, picturing in glowing terms the benefits Ohio will derive from a canal across the state. "In a few short years we calculate on seeing the extensive forests and plains between the town of Delaware and the mouth of Sandusky, abounding with well cultivated farms." "Instead of being confined in their trade to a single port, they will be able to select a market." Quoted by *Inquirer*, Aug. 22, 1820.

setting forth the advantages expected. In the report for 1822, for example, it was estimated that the cost of shipping flour by canal to New York City would be \$1.70 per barrel, whereas the rate to the New Orleans market was \$4.50. With flour worth \$3.50 at Cincinnati and \$8 at New York, it was believed that the producer would profit by a large part of the reduction in cost of transportation, and that the output of Ohio fields would be increased many fold. Imports, too, for the entire Ohio Valley, it was thought, would come chiefly from New York by way of the canals.⁷¹ But the delay in the construction of canals thus left central Ohio in the mid-twenties still without means of transporting its surplus to market, save in the form of animals on the hoof. The lack of means of communication left the produce of abundant harvests to rot in the fields, while the farmers lacked money sufficient to pay taxes.⁷²

This period of hope deferred was a period of conflicting aspirations for the West. While the desire for internal improvements to promote the marketing of the surplus of the interior was a virtual confession of the inadequacy of the home market, yet the continued lack of easy means of transportation and the high price of imported articles maintained the interest in local manufactures. In truth the West was held back in the provincial stage of her development by actual conditions, while aspiring to improvements which would facilitate intercourse with other sections of the country and inaugurate the national economy.⁷³ It was a period, more-

⁷¹ Gephart, *Transportation and Industrial Development*, 113-114, quoting Journal of the House of Representatives, 1822. As a matter of fact, the Ohio canals proved to be feeders for both the Erie canal and the Ohio-Mississippi route, and while the east-bound traffic grew with relative rapidity, it was not until the railways united the Northwest and the coast in the fifties that the river trade felt severely the competition of the artificial routes. Cf. *Ibid.*, 118-119.

The interest which the Erie canal excited in the West was felt as far South as Tennessee. The request of New York that the legislature instruct the representatives of the state in Congress to support measures favorable to the Erie project turned attention in the direction of congressional action in the Southwest. Phelan, *History of Tennessee*, 276 et seq.

⁷² Callender, "Early Transportation and Banking Enterprises," 123.

⁷³ Extreme emphasis was sometimes placed on the ideal of national self-sufficiency. ". . . From the vast extent of the dominion of the United States, the variety of climate, soil and produce, there can be no doubt but all the necessities of life and many of the luxuries may be procured without the assistance of any other country under heaven. . . . We think [commerce] . . . should be [confined] to our own country." *Cincinnati Inquirer Advertiser*, Feb. 12, 1823. "So long as Europe shall continue in the present state of slavery and degradation, there is more danger of intercourse with its nations having a demoralising [than good] effect upon our citizens. When these U. States may be ripe for cutting off all intercourse with foreign nations for commercial purposes, we may willingly and readily resign all pretensions to their improvements in arts, sciences and literature—and be perfectly contented with such improvements as we are ourselves capable of making in those matters.

"Let us endeavor to turn our territory into a world for our own use. Let us make it subservient to commercial purposes, by promoting inland navigation, constructing bridges,

over, during which the views of the West were rapidly being shaped by experience into harmony with the new nationalism. We have seen how Governor Worthington, though a Republican of Virginia stock, along with other leaders of western thought, repudiated the *laissez faire* principles of Jefferson, and advocated government care for manufactures.⁷⁴ The problem of internal improvements exerted a similar influence. In response to the appeal of New York in 1812, the Ohio legislature passed a resolution in favor of construction of the Erie canal by the federal government, as a means of "rendering the produce of our country more valuable, the price of foreign commodities cheaper," and the bonds of the union firmer.⁷⁵ The delay in inaugurating the work on the Ohio canal system was due in part to the hesitation to entrust a task so closely involving the public welfare to a private company.⁷⁶ Besides, it was doubtful whether a private corporation would be able to finance so vast an undertaking. This form of industrial organization, while well known, had hitherto been employed chiefly in banking, and the work of internal improvements required a far greater capital than had yet been brought together in any industry in this country. Only public securities could command the confidence of the owners of loanable capital, at home and abroad, for such sums.⁷⁷ For these reasons the preponderance of opinion favored the con-

and making roads by which internal intercourse may be facilitated." *Ibid.*, Feb. 15, 1828. The antagonism between the western farmer and the merchant engaged in European commerce is emphasized still more in a third article in this series, in issue of Feb. 22, 1828.

⁷⁴ See above, 96; cf. Gov. Huntington's views, *ibid.* Also see below, 107.

⁷⁵ Gephart, *Transportation and Industrial Development*, 110-111.

⁷⁶ Bills for the incorporation of a canal company were considered by both houses in 1818. Commenting on the senate bill a Columbus newspaper correspondent remarks: "There is no man who has reflected on the incalculable advantage that would result to this, and the adjoining states, by a canal uniting the waters of Lake Erie and the river Ohio, but must ardently wish for the accomplishment of so great and beneficial a work—but whether the plan of a private company, with power, exclusively, to navigate the canal, when made, be expedient, is, to say the least, extremely doubtful.—The plan of a canal . . . forms an important link, to my view, in the chain of our future prosperity, and should be entered upon with caution." *Supporter*, Dec. 10, 1818.

The impolicy of private construction is urged later in the report of the state canal commissioners: "Nothing can be more interesting to the whole community than the great navigable highways through the State from the lakes to the Ohio River. . . . It does not consist with the dignity, the interest, or the convenience of the State that a private company . . . should have the management and control of them. The evils of such management cannot be fully foreseen, and therefore cannot be fully provided against. . . . A private company will look only to the best means for increasing their profits. The public convenience will be regarded only as it is subservient to their emolument." Report of 1825, quoted by Callender, "Early Transportation and Banking Enterprises," 155.

⁷⁷ *Ibid.*, 181-182.

struction of the canals by the state.⁷⁸ But even the state, in those days of partially developed resources, hesitated to incur the necessary financial obligations until it felt confident of federal aid in the form of land grants.⁷⁹

A similar lesson was taught by the efforts to improve the navigation of the Ohio by a canal at the rapids near Louisville, where transshipment of cargoes was necessary except in the case of boats of light draft or during high water. The delay and expense at this point early aroused the interest of the adjacent population in canal projects. State jealousies, however, prevented the co-operation which might have brought success. About 1820 rival companies were incorporated by the legislatures of Indiana and Kentucky, for the construction of canals on opposite sides of the river. The interest of Ohio was no less than that of either of these states, but being indirect in that the river did not touch her territory at the rapids, she was at a loss what course to pursue, inclining to the view that the great cost of the undertaking called for federal action.⁸⁰

⁷⁸ Cf. the opinion of an "Ohio Citizen," in *Supporter* for Dec. 30, 1824: "Great public works, whether the fruit of individual or of national enterprise, have hitherto in all modern states, been the result of the accumulation of redundant capital." After discussing the success of New York in building the Erie canal when no great surplus of capital existed and interest rates were high, he concludes with the hope that Ohio may imitate her example. "This state, which for some years past, has made such noble and generous exertions in the same way has now filled the whole public mind with the most ardent hopes that an undertaking on the same colossal scale, and of the same permanent utility, will be accomplished by herself" The *Cincinnati Inquisitor Advertiser* for Aug. 29, reprinted an article from the *New York Statesman* on the prospect of an Ohio canal, which held that Ohio was abundantly able to undertake the work. "She has people, enterprise, industry, and credit. The whole work would be within herself—not a cent of capital carried beyond her borders, and all the expenditures, for an undertaking that will hereafter render her rich, flourishing, and powerful, be made to her own citizens."

⁷⁹ McClelland & Huntington, *History of the Ohio Canals*, 85.

⁸⁰ Gephart, *Transportation and Industrial Development*, 107-110. "H" in the *Cincinnati Inquisitor Advertiser* for Oct. 30, 1821, urged the need of federal activity in river improvements in these words: "The immense benefit that would arise to the nation from an unobstructed navigation of these two immense rivers of the Western country, the Ohio and Mississippi, is so palpable to every person acquainted with the geography of our country and with the state of the population west of the Alleghany mountain [*sic*], that I should suppose the subject worthy of the consideration of congress. . . . [The West] must now look to the enlightened advocates of internal improvements in the national legislature for assistance." The demand for federal action is coupled with a statement of western grievances in the comment of "Dion" on "The Interests of the West," in the *Liberty Hall and Cincinnati Gazette* during the summer of 1819: "Let any person cast his eye on the map and trace the line formed by the Apalachicola, and the Allegheny [Mountains], into Pennsylvania, and thence to lake Erie, and he will see at once what proportions of country pay and what receives the national revenue—On the one side are cities, harbors, roads, public works of every description, and an old, well cultivated country; on the other, an immense wilderness, interspersed with a few infant, tho' flourishing towns, but generally peopled by emigrants yet struggling with the hardships of first settlements, felling the forests around them, building their rude cabins, toiling industriously for subsistence, with no money to spare even for the comforts of domestic life, much less for those public improvements so important to the prosperity of any country. From every

Thus experience exerted a powerful influence upon the views of the western people. Under the stress of poverty and the need of improved communications the belief in the sufficiency of private initiative, which Jefferson had made a part of the creed of the early Republicans, gave way generally to a demand for government action, and even the jealousy for state rights yielded to the necessity of federal aid.⁸¹

The breakdown of the ideal of western self-sufficiency and the espousal of the "American System" came in the early twenties with a larger knowledge of the state of the European markets. For several years previously, however, local economic thinkers had been perplexed by the excess of imports over exports, which they were inclined to attribute to the speculative tendencies of importing merchants and the lack of proper facilities for transporting the produce of the West. Internal improvements and greater encouragement of exportation they thought to be the remedy.⁸² Here and there it began to be perceived that without selling the West could not buy. "To enrich a country by trade, much more must be exported, than imported. . . . Neither ought we to deal with any people, who will not barter for, or purchase our surplus produce" ⁸³ Hard times drove home the lesson that abundant production does not mean prosperity in the absence of a market. ". . . Produce never was greater in quantity and so low in value," declared the *Columbus Gazette* in 1820. "Oats and corn and hay will not defray the labor of harvesting and bringing to market. The best of pork was sold in market last Saturday for two cents per pound. Land has fallen fifteen per cent in value" ⁸⁴ "It is alarming to reflect on the present condition of our state. The country is overrun with produce, and destitute of a market," wrote "Franklin" in the *Muskingum Messenger*. "We cannot obtain

corner of both these sections the public revenue is collected, and where is it distributed? . . . This we do expect, and have a right to claim, that some part of the revenue shall be employed on public improvements among us"

⁸¹ "The pioneers were very anxious to have the national government open up the streams and help build roads."—Esarey, *History of Indiana*, 250.

⁸² "We are at this time able to produce from the soil, a surplus of provision ten times greater than that which we could have spared ten years ago: if this is the fact, we ought at this time to command the wealth of a foreign market, in the same ratio." "Let us unite in giving encouragement to those who will undertake the transportation of domestic produce" "Socrates," in *Supporter*, Aug. 5 and 12, 1818.

⁸³ "A Farmer," in *Supporter*, June 9, 1819.

⁸⁴ Quoted in *Scioto Telegraph*, Oct. 12, 1820. Cf. prices in Cincinnati market, as given by the *Inquirer Advertiser* May 29, 1821: Flour, \$1.00 per cwt. Eggs 4c per dozen. Hams 4c per pound. Beef, choice pieces, 4c per pound; inferior pieces 2c. Butter 8c. Corn meal, bushel, 30c. Lard 4c. Pork, choice pieces, 8c; inferior pieces 2c.

money for our commodities, so how are we to purchase the luxuries or even the necessities of life?"⁸⁵ A favorite proposal was to practice self-denial, "to purchase no foreign goods, and to abstain, as far as possible, from the use of all articles which are not produced or manufactured" at home.⁸⁶ "Every day we see merchants' advertisements exhibiting the most costly and unnecessary articles; such however as have been and still are in general use. If you purchase these articles, you must pay for them in specie money, and where is this money to come from. . . . Every cent of good money that falls into the hands of the merchants, is immediately transported to the Atlantic states, and from thence shipped to foreign countries for more luxuries. . . . The sooner we abolish the traffic in foreign goods, the sooner will the dark cloud which is now lowering over our state be driven away. . . ." ⁸⁷ The progress of home manufactures was watched with great interest, and many a calculation was made which showed, on paper, the substantial profits to be realized from capital so invested. A writer in the *Philanthropist* proved that fifty acres of hilly land, unsuitable for grain raising, if used as pasture for merinos, could be made to yield sixteen hundred dollars at prices paid for wool at the Steubenville Woolen Factory and elsewhere. "The larger factories," he urged, "must be looked to as the great engines for turning the balance of trade in our favor. The difficulties under which we labor at present, are probably greater than was [*sic*] ever experienced in the United States before. The cause lies in the wrong application of labor and money."⁸⁸ Exhortations to use domestic manufactures were made on every hand. "Domestic manufactures, are in every body's mouth—but not on every body's back. Less talk and more action would look better. He that wears a suit of homespun, does more to encourage domestic manufactures than the whole

⁸⁵ Quoted in *Scioto Telegraph*, May 12, 1821.

⁸⁶ *Ibid.*

⁸⁷ *Ibid.* Cf. article entitled "Our Soil," in *Pittsburg Mercury*, quoted by *Scioto Telegraph*, Aug. 25, 1821: "Flour per bbl. \$1; whiskey 15 cents per gallon, good merchantable pine boards 20 cents per 100 feet, sheep and calves one dollar per head. . . . One bushel and a half of wheat will buy a pound of coffee, a barrel of flour will buy a pound of tea; 12½ barrels will buy one yard of superfine broadcloth. Foreign goods are plenty, laid in on the best terms. They are sold at a very moderate profit and very cheap. The merchant is very sorry he has it not in his power to take produce in payment. He cannot remit it to Philadelphia; but if the farmer will sell his flour, bacon and whiskey to somebody else, and procure the cash, the goods can be had at almost first cost for specie and par money, but at a very small advance if paid in current paper. This is the condition of the western country. This is the prospect of the farmer under our present system."

⁸⁸ Quoted by *Scioto Telegraph*, Feb. 12, 1821.

herd of scribblers, who write so zealously on the subject," wrote one zealous scribbler, who proposed the organization of clubs for the purchase of the cloth output of local mills. This "would be of more real advantage to society, than all the abuse that could in a year be heaped on agents, brokers and merchants, by those who wear their stuffs, and pay them exchanges, carriages and profits."⁸⁹ "This looks like doing business," said the *Supporter* by way of comment. "The purchaser will have the proud satisfaction of wearing the native product of his own country, and of doing more towards establishing its *real* independence, than he could by killing a myriad of its enemies. . . . It will be the only *effectual* way to prevent our money travelling over the mountains for English cloths—and will teach the storekeepers, through the medium of their *interests*, that it will be better for them to sell domestic cloths than none. . . ."⁹⁰

"The proud satisfaction of wearing native products" did not prove to be an adequate motive to create a demand for the products of the home manufacturer, and not all of the tirade against the merchants who dealt in foreign goods served to drive them out of business, as the advertisements in any contemporary newspaper will show.⁹¹ The lack of foreign demand continued to mean a plethora of farm produce at low prices, while the fashion for foreign goods interfered with the growth of manufactures on a scale sufficient to absorb the agricultural surplus. Then at last came the conviction that the growth of agriculture had too far exceeded that of manufactures, and that a more equal balance should be brought about between them.⁹² "For the interest of the farmer to be pro-

⁸⁹ *Greeneburgh Gazette*, quoted by *Supporter*, Oct. 6, 1819.

⁹⁰ *Ibid.*

⁹¹ Such advertisements as the following may be found in almost any paper in any issue of the period: "McCoy & Culbertson . . . have just received an assortment of Spring and Summer Goods, of which they are anxious to dispose Wholesale or Retail." Among the goods are "fancy Gingham, Leghorn Bonnets, Tortoise Combs, French Prunella Shoes, Morocco shoes, ribbons, Damask crape shawls, Real Merino shawls, silk umbrellas, figured gauze, painted feather fans, superfine Russia drilling and Angola cassimere, for summer pantaloons," etc. *Supporter*, May 8, 1820.

⁹² Some of the plain people would have turned back to the days of the self-sufficient household. Says "Dorothy Thrift": "I want him [her husband] to raise flax and less rye. . . . [He] is in debt for this trash [India cottons], and his rye won't pay his debts, even if he could raise ever so much. Year after year he will persist in this fatal practice; and every year our stock of sheep and cows diminishes, and we grow poorer and poorer; my girls are idle for want of wool and flax." She compares this situation with that of her own girlhood, when she and her sisters were busy daily with spinning the raw materials furnished by the father, who "was delighted to see us clothed in the fabrics of our own industry, and his house furnished with substantial homespun in abundance. . . . I will scold and fret to see my girls idle, hardly decent in dress, my house furnished with cotton cobwebs and rags, and all going to loss and ruin, for want of flax and wool, and wheels, merely for want of materials. . . ." *Plough Boy*, quoted by *Societe Telegraph*, Oct. 12, 1820.

moted, it is not only necessary to procure merchants to export his produce, but it is also necessary to find a market where it can be sold. In the present state of the world, the latter is the most difficult point to be gained. Plenty of merchants can be found, but only few markets; consequently the surplus produce lies heavy on the hands of the agriculturist. . . .” This writer argues that foreign countries receive only such of our exports as they must have, and would pay for them if we took no goods in exchange. If, then, we produced our own manufactures, the export trade would not suffer, and a favorable balance would result. Referring to the former views of Jefferson, he continues, “The day is past when it was prudent for America to have her work shops in Europe, and the principal arguments in favor of that system are done away. ‘You have neither capital nor knowledge sufficient to be your own manufacturers,’ said the political economist of that day: ‘you have millions of acres of fertile and productive land, and while your woods continue to be uncultivated your business is agriculture, and you have no business with manufacture which is only suitable for countries of dense population.’ This reasoning would well apply provided our manufacturing shops were to be supplied with provisions exclusively by us—but since we cannot obtain admission for our produce in provisions into those shops, except in times of great scarcity or famine—when they will not exchange with us their manufactures for our corn, our flour, and our pork—and since the manufactures which we import far exceed the amount of such raw material as we export, the balance must be paid in money, very much to our disadvantage. . . . We have more land under cultivation than is necessary for the subsistence of our own citizens, and more produce than we can find a market for in foreign countries. We have accumulated a capital greater than we can find employment for either in agricultural or commercial pursuits—and our population has at least doubled within twenty years. . . . Who can say then . . . that it is not full time for us to remove our workshops from Europe to America, and endeavor to do that for ourselves which we have to pay other nations for doing for us. We may boast of our liberty and independence in a political light, but if we are independent of a British government, we are still dependent on a British people—and that dependence must continue so long as we suffer our workshops to remain in England.”⁹⁸

⁹⁸ *Cincinnati Inquirer Advertiser*, April 2, 1822. Cf. article in issue of Jan. 27, 1823:

“It appears pretty evident that there is already too much land under cultivation, witness the

Such was the economic doctrine which gripped the whole Ohio Valley in the early twenties. Governors of states aided in its dissemination. William Findlay, of Pennsylvania, in his message of 1820, declared: "The limited demand for, and consequent low prices of, our agricultural products in foreign markets, cannot fail to suggest the necessity as well as the policy of promoting domestic manufactures, which, if properly encouraged, would provide a sufficient home market for all our surplus produce . . ." ⁹⁴ Governor Jonathan Jennings, of Indiana, anticipated the sentiment of the Pennsylvania executive by a few days. ⁹⁵ Little by little the belief in the necessity of home manufactures, and of the fostering care of the government in order to obtain them, took hold of the minds of the great majority of the people of the West. ⁹⁶

price of its produce. What use can there be in cultivating land when its produce cannot find a market? . . . Does it not prove, to a moral certainty, that the time is arrived that they [the people of the United States] should turn their attention to manufactures, when it evidently appears that the produce of what land is already under cultivation cannot command a market to advantage? Is it not plain to any unprejudiced person that when as much land is under cultivation as to reduce the profits of the husbandman to nearly nothing, when as much can be produced in one year as can be disposed of in two, that the same effect must be produced as if there was not another acre of land to cultivate. Is it not plain, we say, that something ought to be done to find a market for this redundancy of produce, and to find employment for that portion of our population which must eventually be thrown out of employment when the agriculturists relax in their exertions, a relaxation which is naturally to be expected when they cannot have their produce taken off their hands? Yes, we say, now is the time for the ranks of the manufacturer to increase. Agriculture has been pursued to its acme. The number employed in it is disproportionate to that of the mechanical branch—and the true interest of the whole community will be promoted by producing an equilibrium between them—the want of employment, (to use the terms of the sensible writer before hinted at) has driven mechanics into the wilds to make farmers of them—by which instead of customers have become rivals to agriculturists. And by this means the farming business is overdone. . . ."

⁹⁴ *Scioto Telegraph*, Dec. 21, 1820.

⁹⁵ ". . . The surplus produce of the state, increasing in quantity and reduced in price, has been greatly deficient in the amount of its proceeds, to meet the demands upon us which have been created by the consumption of foreign objects of merchandise. . . . To retrace these errors, however fascinating, which national pride or false ambition may have produced; and directing the future by a strict scrutiny of the past; by curtailing our consumption of foreign articles, by the application of active industry, not less to domestic manufactures of every description, than to the soil . . . we may ere long be reinstated in our former independence. . . ." *Ibid.*, Dec. 28.

⁹⁶ Light is cast on the process of education by the following extract: "A Farmer" writes to the editor of the *Western Herald*: "Being over the other day at the Squire's and happening to get into conversation about the tariff and the support of domestic manufactures, both of which I confess I was not disposed to encourage, on the ground that it would have a tendency to interrupt our commercial relations with England and would perhaps cause them to retaliate on us by throwing obstacles in our way, the squire informed me that there was a regulation for some years past, which prevented our flour and grain from entering their market. Now Mr. Wilson, I want to make enquiry through the medium of your paper if any such restriction does exist. (I think he called it a corn law) . . ." If correctly informed by the "squire," the "Farmer" declares he will become a supporter of "all such measures as will have a tendency to counteract such restriction, and if we can not obtain a market abroad will encourage the system which will afford a market at home." The editor confirms the "squire's" information, and asks: "Such being the case, the question arises, Ought we to receive the

When it was realized that Europe could not or would not receive the surplus products of western agriculture, that fact was accepted as the explanation of the "hard times," and a new significance was imparted to the old demand for a home market. The inadequacy of the local western market had long been admitted by implication, and with the new light in regard to the foreign demand came new stress upon a domestic market as wide as the United States. In the theory of a national economy which now replaced the provincial economy in the contemplation of the West, internal improvements held, of course, an essential place; but the protective tariff was relied upon as the means of redressing the balance between agriculture and manufacturing, and by encouraging the latter, of diverting a sufficient proportion of the population from agriculture to render the two interests reciprocally supporting.⁹⁷

3. DIVERGENCE OF WEST AND SOUTH

Clay and Calhoun, with all their efforts to embrace nation-wide interests in their thought, spoke as exponents of the West; that is, their scheme of national policy fell in with the local interests of the western section. Calhoun, representing a constituency in that piedmont region from which so much of the western population had sprung, and which was in 1816 still partly a region of farms; and Clay, from the state which was the first fruit of the trans-

products of any nation that will not take our products in exchange? Every farmer can answer this question." *Western Herald*, April 10, 1824.

Laissez faire arguments are rare indeed but appear occasionally. Witness the following: "American manufactures will flourish without any alterations of the present tariff, as far as it is the general interest or the interest or HAPPINESS of the great mass of our fellow citizens that they should flourish." "I wish not to see the happy population of the New-England states reduced to the level of a British weaving population. . . . I wish not to see the increased and overgrown population of cities and towns, which is the sure cause [*sic*] of vice, disease and poverty . . ." The writer cites Jefferson's "Notes on Virginia," and adheres to the former views of the author regardless of the change in the circumstances of the United States and the western country. He also cites similar opinions held by Franklin. *Liberty Hall*, quoted by *Supporter*, July 21 and 28, 1819.

⁹⁷ The intimate relation between western prosperity and the American system, and the dependence of the West upon Federal action are illustrated by the complaint of the *Western Herald*: "Unless the western country can prevail upon the government to promote means for transporting its surplus agricultural produce to a certain and safe market, and unless their manufactures be so protected as to be placed on a permanent footing, property will continue to depreciate, and poverty and misery will be our constant companions." Feb. 7, 1824.

"More foreign products has [*sic*] been imported than can be paid for. . . . A few years will be sufficient to correct the evil, the correction may be expedited or protracted as our national legislature is wise or improvident, and as manufactures are hastened or delayed. The doctrine that inculcates the propriety of letting commerce and manufactures find their own level, and of, depending on themselves, is nonsense; manufactures never succeeded in any country without artificial aid . . ." *Supporter*, May 12, 1819, quoting *Pittsburg Gazette*.

montane migration, derived their enthusiasm concerning the nation's future from the very fact that it was developing so rapidly in the West. "We are great, and rapidly—he was about to say fearfully—growing. This . . . is our pride and danger—our weakness and our strength Whatever impedes the intercourse of the extremes with this, the centre of the Republic, weakens the Union. . . . Let us then . . . bind the Republic together with a perfect system of roads and canals."⁹⁸ Calhoun's advocacy of western interests in this famous speech on the Bonus Bill was incidental to his argument for national unity; but Clay soon afterwards spoke avowedly as a western man, representing a new country which needed means of communication as it did the breath of life, although in almost the same breath he declared he spoke as a citizen of the Union, looking forward to a great destiny, so closely were the welfare of the West and of the nation associated in his thinking.⁹⁹ In all of his advocacy of the American System, in fact, Clay appears to the historian as the champion of the West, engaged in an effort to persuade the other great sections into the belief that their interests are in harmony with his great scheme of policy.¹⁰⁰ The reciprocal relation of the farmer and manufacturer was sufficiently obvious, but in vain did he seek to reconcile the ship owner and the planter to the idea of a national economy. The westward movement in this period represented directly the progress of the farming and planting interests. In the Southwest the planter

⁹⁸ *Annals*, Fourteenth Cong., 2 sess., 853.

⁹⁹ March 18, 1818. *Works of Clay* (Federal edition), VI, 116 et seq.

¹⁰⁰ "I am aware that on two subjects I have the misfortune to differ with many of my Virginia friends—internal improvements and home manufactures. My opinion has been formed after much deliberation, and my best judgment yet tells me that I am right. . . . I believe Virginia and the Southern States as much interested, directly or indirectly, as any other parts of the Union in their encouragement. When the Government was first adopted we had no interior. Our population was inclosed between the sea and the mountains which run parallel to it. Since then the west part of your State, the western parts of New York and Pennsylvania, and all the Western States, have been settled. The wars of Europe have consumed all the surplus produce on both sides of the mountains. Those wars have terminated and emigration has ceased. We find ourselves annually in possession of an immense surplus. There is no market for it abroad; there is none at home. If there were a foreign market, before we, in the interior, could reach it, the intervening population would have supplied it. There can be no foreign market adequate to the consumption of the vast and growing surplus of the produce of our agriculture. We must, then, have a home market. Some of us must cultivate; some fabricate. And we must have reasonable protection against the machinations of foreign powers. On the sea-board you want a navy, fortifications, protection, foreign commerce. In the interior we want internal improvements, home manufactures. You have what you want, and object to our getting what we want. Should not the interests of both parties be provided for?"

"It has appeared to me, in the administration of the general Government, to be a just principle to inquire what great interests belong to each section of our country, and to promote those interests, as far as practicable, consistently with the Constitution, having always an eye

pressed hard upon the heels of the pioneer farmer. Under the stimulus of the growing demand of European factories for cotton, "black belts" were forming everywhere in the alluvial lands of the Gulf states by the mid-thirties. Capitalism as represented by the plantation system outbid the small farmer at the land auctions, or bought him out if already established, in either case sending him onward to the new frontier or crowding him back into the hills to swell the ranks of the "poor whites."¹⁰¹ Indirectly the westward movement involved also the fortunes of the other two great interests, maritime commerce and manufactures. The first had suffered severely during the period of non-intercourse and war, while the same events had stimulated domestic industry. In the succeeding years ocean commerce continued to be affected adversely by the forces which promoted manufactures. On the economic side, in brief, the half-generation following the war of 1812 witnessed a revolution in the relations of the great economic interests and in the relations of the sections where their chief strength lay. The farming interest, growing by leaps and bounds through the rapid settlement especially of the Northwest, was growing in political power almost in the ratio of its territorial expansion. Much the same was true of the planting interest in the Southwest. Manufactures and ocean commerce, the one growing, the other declining, the one capable of spreading over the Northwest the other localized on the coast, held their futures subject in large measure to their economic and political relations with the other interests.

[The key to the national politics of the period 1815-1825 is to be sought in the rivalries and shifting alliances of these interests and of the sections where they centered. The "piedmontese" expansion of this era was a continuation of the movement which had

to the welfare of the whole. Assuming this principle, does any one doubt that if New York, New Jersey, Pennsylvania, Delaware, Maryland, and the Western States, constituted an independent nation, it would immediately protect the important interests in question? And is it not to be feared that if protection is not to be found for vital interests, from the existing systems, in great parts of the confederacy, those parts will ultimately seek to establish a system that will afford the requisite protection? I would not, in the application of the principle indicated, give to the peculiar interests of great sections all the protection which they would probably receive if those sections constituted separate and independent States. I would, however, extend some protection, and measure it by balancing the countervailing interests, if there be such, in other quarters of the Union. . . ." Clay to Francis Brooke, Aug. 28, 1823. *Works*, IV, 78 *et seq.*

¹⁰¹ Phillips, "Origin and Growth of the Southern Black Belts." Cf. the typical experience of Thomas Dabney, who removed from Virginia to Mississippi about 1835, where he acquired a plantation of four thousand acres by purchasing the land of half a dozen small farmers. Callender, *Economic History*, 642, quoting Smedes, *Memorials of a Southern Planter*.

won the early West for Republicanism in its race with the Federalist party. Superficially it seemed to insure the continued dominance of the triumphant party. On the side of party history, then, the meaning of the period is to be sought in an answer to the question, whether the Republican name and organization could continue to hold together in fact the old party elements, now so altered in their relations.

A divergent drift of the South and West, both professing the Republican name, became apparent while Madison was still president. With a regard for the letter of the constitution worthy of the original traditions of the party, he vetoed the Bonus Bill, a measure inspired in part by his own recommendation of the policy of internal improvements.¹⁰² Monroe, following in his footsteps, announced to Congress in his first message his disbelief in their right to promote such works without an amendment altering the constitution.¹⁰³ To the leaders of the New School such literalism seemed to make of the constitution itself a bar to the country's progress. "If we permit a low, sordid, selfish, and sectional spirit to take possession of this House . . . we will divide [disrupt the Union]," cried Calhoun, not indeed in reply to Monroe's message, but combatting a similar narrowness. The constitution "ought to be construed with plain, good sense," and the uniform sense of Congress and the country had approved the power of appropriating money for the improvement of the means of communication.¹⁰⁴ Clay referred to the views of the administration group as a "water-gruel regimen," an interpretation which would construe the Constitution to a dead letter and reduce it to an inanimate skeleton. The rule of construction, he urged, must not "forget the purposes of the Constitution, and the duties you are called on to fulfill, that of preserving the union being one of the greatest magnitude." Was the Constitution, with its grant of power to establish post offices and post roads and to regulate commerce between the states, made for the Atlantic margin of the country only? "Every man who

¹⁰² Richardson, *Messages of the Presidents*, I, 584. A hint of his constitutional scruples was contained in the message of 1815, but was unheeded by Congress: "It is a happy reflection that any defect of constitutional authority which may be encountered can be supplied in a mode which the Constitution itself has providently pointed out." Cf. Jefferson's recommendation in messages of 1806 and 1808 (Ford, *Writings of Jefferson*, VIII, 498; X 224); and comments on Madison's veto in contemporary correspondence (*ibid.*, X, 80, 91, *et passim*).

¹⁰³ Richardson, *Messages*, II, 18. Cf. Madison to Monroe, Dec. 27, 1817; *Works of Madison* (Congress edition), III, 55-56.

¹⁰⁴ *Annals*, Fourteenth Cong., 2 sess., 353 *et seq.*

looks at the Constitution in the spirit to entitle him to the character of a statesman, must elevate his views to the height which this nation is destined to reach in the rank of nations. We are not legislating for this moment only, or for the present generation, or for the present populated limits of the United States; but our acts must embrace a wider scope,—reaching northwestward to the Pacific, and southwardly to the river Del Norte. Imagine this extent of territory covered with sixty, or seventy, or an hundred millions of people. The powers which exist in this government now will exist then; and those which will exist then exist now.”¹⁰⁵

Believing that Congress possessed adequate powers under the constitution as it stood, Clay and his supporters refused to jeopardize the rights of the national legislature by referring them to the hazard of an amendment which might not carry.¹⁰⁶

Thus differing with Monroe over what Clay regarded as fundamental, it is hardly necessary to refer the leadership of the opposition, which presently fell to Clay, to personal pique over the appointment of Adams instead of himself as secretary of state. Indeed, the clash over constitutional construction between the Old School presidents and the leaders of the New Republicanism was the first appearance of a breach which was to become permanent, and which was to widen until the party was hopelessly divided. The vetoes by presidents on constitutional grounds of measures of which they approved when judged on their intrinsic merits represented an attitude which was presently replaced by an opposition to nationalizing measures *per se*, and which assumed the doctrine of strict construction as a convenient weapon of defence.¹⁰⁷ In

¹⁰⁵ *Annals*, Fifteenth Cong., 1 sess., I, 1165 et seq. Cf. speech of Henry St. George Tucker, one of the New School Republicans from Virginia, *ibid.*, 1116. On the negative side, see speeches of Senator James Barbour, of Virginia, *ibid.*, Fourteenth Cong., 2 sess., 898; Fifteenth Cong., 1 sess., I, 1151; and proposed amendment, *ibid.*, 21-22.

¹⁰⁶ *Works of Clay*, VI, 117. Cf. Tucker: "But why, it is asked, not amend the Constitution? The answer is easy. Those who do not believe we possess the power, are right in wishing an amendment. Those who believe we have it, would be wrong in referring it to the States; and as the Committee were of this opinion, they could not recommend an amendment. For, if an amendment be recommended, and should not be obtained, we should have surrendered a power which we are bound to maintain if we think we possess it." *Annals*, Fifteenth Cong., 1 sess., I, 1119. For efforts to amend, see *ibid.*, 21-22 (Barbour); Seventeenth Cong., 2 sess., 200 (Smith); Eighteenth Cong., 1 sess., I, 134 et seq. (Van Buren).

¹⁰⁷ As late as 1824 Jefferson's objection to internal improvements was academic—lack of constitutional power. "I suppose," he wrote, "there is not a State, perhaps not a man in the Union, who would not consent to add this to the powers of the general government." To Edward Livingston, April 4, 1824. Ford, *Writings of Jefferson*, X, 300. Yet he was ready (1825) to have the state legislature declare internal improvement legislation null and void. *Ibid.*, X, 359.

other words, behind Presidents Madison and Monroe was the seaboard South, which became the seat of a marked reaction against the nationalism which dominated the country at the opening of the era, the seat of a revived insistence upon sectional interests and state rights. This reaction had its mainspring in antagonism to the American System and the nationalism toward which the West was so steadily tending.¹⁰⁸

The cotton-raising region was hopelessly out of the range of the benefits expected from the development of the home market. In 1816 the argument for protection to develop home manufactures of necessities as a means of national defence won a measure of acquiescence in the South. Lowndes, of South Carolina, as chair-

¹⁰⁸ In Virginia the reaction paralleled the decline of the influence of the state in federal affairs. The retirement of the Old School leaders gave place for a group of younger men who broke with the New School led by Clay and Calhoun, and attacked their nationalising tendencies. Judge Spencer Roane, of this group, became conspicuous for his criticism of the decisions of the supreme court. (Articles signed "Algernon Sidney," in *Richmond Enquirer*, March-August, 1821. See comment of John Quincy Adams, in *Memoirs*, V, 364). P. P. Barbour and John Tyler were of this party, and John Randolph acted with them. Their agitation did much to revive and disseminate the old dogmas of strict construction and state rights. Jefferson reverted to his former views in these years of controversy. Cf. Ambler, *Ritchie*, 73, 82-83. John Taylor contributed to the reaction by his writings on government. *Of Construction Construed*, published in 1820, Jefferson wrote: "It is the most logical retraction of our governments to the original and true principles of the constitution creating them, which has appeared since the adoption of that instrument." Washington, *Works of Jefferson*, VII, 213. The next year (1825) Jefferson proposed to Madison a protest by Virginia against the policy of the administration in the matter of internal improvements, to be made in terms of the resolutions of 1798. Ford, *Writings of Jefferson*, X, 359.

Madison did not follow the reaction to its extreme. His views in this period are quite consistent with his nationalism in the days of the formation of the constitution. See *Works* (Congress edition), III, 246, 325, 483; IV, 19, 210, 296, *et passim*. Monroe also took a middle ground. Cf. document accompanying his message of 1822, vetoing the Cumberland Road Bill.

The great decisions of the supreme court (notably *Martin v. Hunter's Lessee*, 1816; *McCulloch v. Maryland*, 1819; *Dartmouth College v. Woodward*, 1819; and *Cohens v. Virginia*, 1821), under the dominance of the powerful mind of the former Federalist John Marshall, were in such striking harmony with the constitutional views of the New School Republicans that Jefferson referred to the latter as "pseudo-republicans but real federalists" (Washington, *Writings of Jefferson*, VII, 278), and described the judiciary as the "subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric . . . construing our constitution from a co-ordination of a general and special government to a general and supreme one alone." Letter to Ritchie, Dec. 25, 1820, *ibid.*, VII, 192. Cf. 212, 223, 294. "The original objects of the federalists were, 1st, to warp our government more to the form and principles of monarchy, and, 2d, to weaken the barriers of the State governments as co-ordinate powers. In the first they have been so completely foiled by the universal spirit of the nation, that they have abandoned the enterprise, shrunk from the odium of their old appellation, taken to themselves a participation of ours, and under the pseudo-republican mask, are now aiming at their second object, and strengthened by unsuspecting or apostate recruits from our ranks, are advancing fast towards an ascendancy." To Judge Johnson, June 12, 1823, *ibid.*, 298. Contrast Madison's views as shown by comment on *McCulloch v. Maryland*, in letter to Judge Roane, Sept. 2, 1819 (*Works*, Congress edition, III, 143 *et seq.*); and on *Cohens v. Virginia*, in letter to same, May 6, 1821 (*ibid.*, 217 *et seq.*) See *Niles Register*, XVII, 311; XX, 118; XXI, 404, for Virginia legislature on supreme court.

man of the Ways and Means Committee, introduced the tariff bill of that year, and it had no more ardent supporter in any section than Calhoun. The South cast twenty-three votes in favor of the bill. Two members of the South Carolina delegation besides Lowndes and Calhoun supported it on its passage.¹⁰⁹ Yet these lost their seats at the next election, and Calhoun was charged by residents of his district with having sacrificed his state to his presidential aspirations.¹¹⁰ In fact, the South cast thirty-four of the fifty-four votes against the measure, the rest coming from the commercial regions of the northern coast. John Randolph, refusing to be persuaded by the arguments of the nationalists, insisted upon presenting the case in its sectional aspects. "It eventuates in this: whether you, as a planter will consent to be taxed, in order to hire another man to go to work in a shoemaker's shop, or to set up a spinning jenny. For my part I will not agree to it, even though they should, by way of return, agree to be taxed to help us plant tobacco; much less will I agree to pay all, and receive nothing for it. No, I will buy where I can get manufactures cheapest, I will not agree to lay a duty on the cultivators of the soil to encourage exotic manufactures; because, after all, we should only get much worse things at a much higher price, and we, the cultivators of the country, would in the end pay for all."¹¹¹ The case of the planter could hardly be more concisely stated, and if he would not sacrifice himself for the good of the whole country, it was not to be expected that he would become reconciled to the protective policy when its aim ceased to be primarily associated with the national defence. In relation to the market at home and abroad the position of the planter was essentially different from that of the farmer. He suffered from no such lack of market in Europe as that which depressed grain farming. On the contrary, as the producer of a raw material which could not be grown in Europe, nor anywhere so advantageously as in the rich, cheap lands of the Gulf Plains, he enjoyed the control of a monopolist over a commodity for which the demand was increasing. While the countries of Europe, adjusting themselves to peace conditions after the downfall of Napoleon, were resuming cultivation and placing restrictions upon the food supplies exported from the United States, they were wel-

¹⁰⁹ *Annals*, Fourteenth Cong., 1 sess., 1852.

¹¹⁰ Houston, D. F., *Critical Study of Nullification in South Carolina*, 5.

¹¹¹ *Annals*, Fourteenth Cong., 1 sess., 687.

coming southern cotton. Especially in England, manufacturing methods, a generation ahead of continental processes, thanks to the inventive genius of the eighteenth century and to the fostering care of the government, were expanding the textile industry so rapidly as to tax the productive capacity of the westward-moving plantation area of the southern states. Under such conditions the cotton region had but slight interest in the development of the textile industry at home as it would add inconsiderably to a demand already ample. On the contrary, the cost of manufactured goods consumed by the staple states would be increased by the tariff, whether imported or purchased from the domestic manufacturer. Nor was the prosperity of the cotton belt uniform. Although increased production caused lower prices, the decline did not seriously depress the grower on the newer lands, while many of those who occupied the impoverished or less fertile soils of the coast states found themselves on or below the economic margin. On these the tariff laid a serious burden. Thus the South, while agreed in its dislike of the tariff, was divided in the degree of its opposition, the chief antagonism springing from the seaboard.¹¹³

The growth of the opposition to the tariff may be traced by means of memorials to Congress, resolutions of state legislatures and other bodies, and speeches of southern members of Congress. Beginning as an agitation against the proposed law of 1820, they increased in number and vehemence until the climax was reached in the attempt at nullification. In general, they elaborated the economic argument which has been outlined, appealed to the theory that government should not interfere with the natural course of industry, especially where such interference favors one interest at the expense of others, attacked the constitutionality of protection, and pointed out the dangerous political tendencies of federal activity. A few examples drawn from the literature of opposition will serve to illustrate the harmony of sentiment which prevailed from Virginia to Georgia. A meeting at Petersburg, Virginia, in 1820, passed resolutions declaring: ". . . The idea of coercing a people to manufacture among themselves articles which they can

¹¹³ The situation of the tobacco, rice, and sugar planters should be differentiated from that of the cotton planters, but in general they acted together, and further discrimination would be an unnecessary refinement for the purposes of this study. For anti-tariff analysis of the American System in the tobacco-growing district, see editorials of the *Richmond Enquirer*. Other anti-tariff memorials are printed in *Annals*, Eighteenth Cong., 1 sess., II, App., 3075 et seq.

purchase abroad at a much lower price than they can produce them at home, we conceive to be equally repugnant to justice, to policy, and to the principles of the constitution. . . . The powers necessary to execute such measures we consider as too despotic to have been delegated by the American people to their Government, and such as we cannot suspect our representatives of wishing to assume, by the instrumentality of inference or construction."¹¹³ The Roanoke Agricultural Society memorialized Congress asking to be let alone. "Identity of feeling and interest is the cement of our Union. Without it, the component parts of our confederacy must hang too loosely together to withstand the jars to which it must be exposed. That identity would be destroyed by a rigid system of prohibitory duties. In the nature of man, it cannot be expected that the agricultural [planting] and commercial portions of the Union could experience any other feeling than that of the bitterest hatred towards the manufacturing interest, by whom they would be burdened to the utmost of their power to bear; they would cease to feel as members of one great family.

"We have no favors to ask at the hands of Government. All we require is, to be left to ourselves, and to our own resources. As we desire not to interfere with others, we hope and trust not to be interfered with."¹¹⁴

In Congress Mr. Tatnall of Georgia spoke for the lower South. "We do not complain upon slight occasion. No, sir, the Southern States have never been querulous in their character. Whenever the national benefit has been the object, they have freely yielded up all that you have required. . . . But it is impossible the Southern planter can ever afford to give you the price at which you offer at present to furnish your goods. To compel him, therefore, to buy at your market, is tyranny; and the taking advantage of his necessities to exact from him a higher price than the value of the article, is robbery; and robbery of the most impudent kind! . . . Are you prepared, by passing this infernal bill, to add to a poverty which is already wearing one portion of our country to the bone, for the purpose of supplying the appetites of a few pampered nabobs? Such a policy is disgraceful to a free people. It is incon-

¹¹³ *Ibid.*, Sixteenth Cong., 2 sess., 1490.

¹¹⁴ Dated Clarksville, Mecklenburg Co., Va., Dec. 7, 1820. *Ibid.*, 1522. See petition also of delegates of the United Agricultural Societies of Prince George, Sussex, Surrey, Petersburg, Brunswick, Dinwiddie, and Isle of Wight Counties, Va. *Ibid.*, 1517.

sistent with our institutions, and will be destructive of our happiness. And is it thought that we will tamely submit to this treatment? No, sir, we cannot. By Heaven, sir, we will not! . . .”¹¹⁵ A memorial of a meeting of citizens of Charleston set forth the objections of South Carolinians as held in 1820. “The great plea for taxation advanced in this case is, that domestic manufactures will make us independent of foreign nations. This is certainly important in itself; but, when advanced as a ground for forcing artificially the production of everything we want, the plea is every way fallacious. . . . If, under a new system, the surplus labor of an individual will procure for him but one-half of the articles of consumption which he has hitherto been accustomed to receive for the same labor, what compensation will it be to him to know that this diminished supply was produced in his own country, or even on his own farm? . . . How much more simple and wise is it for each nation to raise or manufacture those articles which are most congenial to its soil and to the habit of the people, and exchange its superfluous productions for the productions of other climates and other conditions of society. . . . Neither should it be forgotten how hostile to the general spirit of our Constitution is every system of restriction, of monopoly, or particular privileges. . . .” The impossibility of developing manufactures within the state is then mentioned to explain why it must continue to devote itself to planting, and the effects of the protective system upon the planter are analyzed. “It is, therefore, peculiarly our interest that our interchange with the world should be free. . . . It is equally our interest that the articles we are compelled to consume should be procured on the most advantageous terms.”¹¹⁶ Four years later a committee of Charleston citizens renewed the protest of 1820, viewing with alarm the tendency towards a permanent system of protectionism. The state was now feeling the strain of competition with the new cotton lands, with low prices prevailing in the European market. While the former objections still held, the former prosperity was gone. While the citizens of the State might formerly have regarded protective measures, if not without disapprobation, at least without dismay, and have acquiesced without much murmuring, certainly without violent resistance, matters now stood very differently, owing to the glut of cotton in the

¹¹⁵ Jan. 30, 1823. *Ibid.*, Seventeenth Cong., 2 sess., 756.

¹¹⁶ *Ibid.*, Sixteenth Cong., 2 sess., 1506.

European market and the low price. "It is manifest that the extraordinary prosperity which South Carolina, in common with the other Southern States, enjoyed some years ago, is gone forever, and it will require all the skill and industry of our agriculturists, in future, to maintain their place in the market, even at the most reduced prices of produce." They regarded the occasion as so alarming as to call for an emphatic declaration that the proposed tariff measure violated the spirit of the constitution, and proceeded to discuss the nature of the Union and the powers of Congress under the constitution, at some length.¹¹⁷

In the declining price of cotton the West found reason to hope that the South might make common cause in support of the American System, in order to create a home demand. "Late occurrences in the European market induce us to believe our plans will not be so strenuously opposed in the southern section of our country," remarked a western paper in 1819. "The price of their produce must continue to fall, and it will soon be their interest to encourage a consumption of the raw material at home. . . ." ¹¹⁸ The two great obstacles which prevented Congress from giving proper support to manufactures, according to Matthew Lyon, addressing the *Kentucky Reporter*, were the influence of the commercial region on the northeast coast, and the low estimate placed by the South on domestic manufactures. "The people [of the South] are afraid if domestic manufactures were encouraged by prohibitive or protecting duties, they would have to give a cent or two a yard more for cloth manufactured in New England . . . than they now do for cloth manufactured in Old England, and they would begrudge it, although the New England cloth should be four cents a yard the best—and although the time cannot be far distant when the principal market for their cotton must be derived from American manufacture. . . ." ¹¹⁹ Gloomy paragraphs in the southern press contributed to this illusory hope. "Cotton, our staple article of export," the *Milledgeville (Ga.) Journal* is quoted as saying, "is daily declining in price, and will, in a short time not be worth the cultivation. The *consumption* of cotton manufactures has already arrived at its utmost extent; but the *production* of the article itself may be increased a thousand fold. This circumstance

¹¹⁷ *Ibid.*, Eighteenth Cong., 1 sess., App., II, 3075.

¹¹⁸ *Pittsburg Gazette*, quoted by *Supporter*, May 12, 1819.

¹¹⁹ Quoted by *Supporter*, Oct. 6, 1819.

will keep down our market *generally* . . . but there is another cause that will operate on the market of the southern states. The English are encouraging its cultivation in their East India colonies judiciously and extensively. It is true it is not so good as ours, but the manufacturers say it is good enough for their purposes. Hence our trade in it will be destroyed just as certain as our *indigo* trade was destroyed in the year 1779 by the same policy."¹²⁰ "The cotton planters of the southern states seem to have great antipathy to domestic manufactures," says the *Cincinnati Inquisitor Advertiser*, "lest their encouragement should operate against commerce, and thereby affront their customers the English. But we should think that they ought to be the first that would encourage them, in order to procure customers at home for their produce that is now become a mere drug in the British market. We should suppose that when upland cotton has been reduced to about 9 cents per lb., after all the expense of freight and insurance—that they might be among the first to call out for encouragement for domestic manufactures in order to find customers for that redundancy of cotton which has so powerfully operated to bring down the price. . . ." ¹²¹

The spread of cotton culture westward expanded the market for the food products of the farms of the Northwest, and the growing intercourse between that section and the South fostered the faith of the former in the practicability of the sectional reciprocity aimed at by the American System.¹²² But the South persisted in its way of thinking. The milder tone of the more prosperous state of Alabama, but at the same time the clear perception by the southerners of the sectional alignment on the tariff question, is shown by the speech of Owen in the House of Representatives, on the bill of 1824: "He summed up the policy of the bill as amounting to this, that the East and the West must co-operate, and the South must submit and contribute. He reprobated this policy as not calculated

¹²⁰ *Scioto Telegraph*, July 7, 1821. Cf. statements in same article concerning conditions as set forth by the *Montgomery Republican*.

¹²¹ January 27, 1823.

¹²² "The state of North Carolina, heretofore noted for the quality and excellence of its Pork, sent chiefly to the Virginia markets, is now indebted for large supplies of this article to Kentucky and Tennessee. The cultivation of cotton in this state has produced this new order of things." *Cincinnati Inquisitor Advertiser*, Jan. 18, 1823, quoting *North Carolina Register*. Cf. Callender, "Early Transportation and Banking Enterprises," 126; also Callender, *Economic History*, 290 et seq.

for the benefit of the whole Union." ¹²³ The territory adversely affected was defined by Randolph in the course of this debate. "Here is a district of country extending from the Patapsco to the Gulf of Mexico, from the Allegany [mountains] to the Atlantic, a district which . . . raised five-sixths of all the exports of this country that are of home growth . . . I bless God that, in this insulted, oppressed, and outraged region, we are, as to our counsels in regard to this measure, but as one man, that there exists on the subject but one feeling and one interest." ¹²⁴ His further words show the growing violence of the opposition. "We are proscribed, and put to the ban; and if we do not feel, and feeling do not act, we are bastards to those fathers who achieved the Revolution; then shall we deserve to make our bricks without straw . . . I do not stop here, sir, to argue about the constitutionality of this bill . . . I have no faith in parchment . . . I *have* faith in the power of that Commonwealth, of which I am an unworthy son, in the power of those Carolinas, and of that Georgia . . . which went with us through the valley of the shadow of death, in the war of our independence. . . ." ¹²⁵

The southern seaboard developed likewise an opposition to the other important feature of the American System, that is, the policy of national aid to internal improvements. Before the spread of the plantation system into the interior of the South Atlantic states, considerable interest had been displayed in local roads and canals to afford access for the farmers of the interior to the seaport towns. Before the close of the eighteenth century, the Santee canal, by connecting Charleston with the river which gave the canal its name, had shortened the distance between the inland farms and the city, affording the one a readier market and the other cheaper supplies. The Chesapeake and Ohio and James River Canal projects were likewise designed to tap the uplands and ultimately the Ohio Valley. ¹²⁶ But while Baltimore held its own with Philadelphia for a time, the southern states soon fell hopelessly behind the northern in the competition for the trade of the transallegany

¹²³ *Annals*, Eighteenth Cong., 1 sess., I, 1550.

¹²⁴ *Ibid.*, II, 2360.

¹²⁵ *Ibid.* A very temperate criticism of the protective policy, from the viewpoint of the Old School Republican, is made by Madison in a letter to Clay, dated April 24, 1824, written in acknowledgment of a copy of the latter's speech on the tariff of 1824. Cited above, 99, *f. n.* 52.

¹²⁶ Phillips, U. B., *Transportation in the Eastern Cotton Belt*, 15, 16.

region. The higher mountains precluded all possibility of canal connection, and not until the advent of the railroad were the conditions north and south somewhat equalized. Meantime, with the advance of staple growing in the interior interest even in the local roads and canals declined in the eastern cotton belt. The marketing of cotton could be done when teams were idle, for the crop did not suffer from long hauls over poor roads. The planters considered the loss of time less serious than the cost of toll on the turnpikes, and the roads constructed at an earlier date fell into disuse during the twenties.¹²⁷ The western South showed more interest in the proposals of national turnpikes and improvements in water courses, and as late as 1824 Governor Troup of Georgia wrote to President Monroe urging the claim of his state to a share of the benefit under the survey act, and suggesting canals to connect the Savannah with the Tennessee and the St. Marys with the Suwanee.¹²⁸ Tennessee was the scene of similar agitation.¹²⁹ In this matter as in the tariff question, the South was not wholly united, but as the association of the two policies in the American System became clear, the seaboard, lacking any positive interest to enlist its support for the policy of improvements, placed both equally under the ban of its disapprobation.

It is clear to the historian that by 1824 the basis of the old party system was gone. The Federalist organization, quitting the field in 1816, had left the Republicans in undisputed possession. But as the growth of the West had destroyed the one, so now it had in turn destroyed the other. The Republicans retained, it is true, the old party name and the semblance of an organization. But the two geographical sections which shared the name were as wide-

¹²⁷ *Ibid.*, 12.

¹²⁸ Phillips, U. B., *Georgia and State Rights*, 114. The western portion of the tobacco states showed considerable interest in improved means of communication with the coast. See petition of Virginians asking co-operation of the federal government in the James River Canal project, *Niles Register*, XIII, 125. Politically this portion of Virginia, so long in conflict with the tidewater, inclined strongly to affiliate with the Ohio Valley, as did also western Pennsylvania and New York. This fact gave Clay a real basis for expecting support in the campaign of 1824. For the same reason Virginia was divided somewhat in its attitude towards the Adams administration. Ambler, *Sectionalism*, and Ritchie. As late as 1832, the *Lynchburg Virginian*, discussing "the constant migration to the great West of our most substantial citizens . . . and the declension of our business," remarked: "It is idle to talk of the blasting effects of the Tariff system. We suffer most from our failure to keep pace in building internal improvements." Commons, John R., et al., *A Documentary History of American Industrial Society*, II, 196-197. The reactionary Virginian party opposed the federal policy of internal improvements vehemently. See Ames, *State Documents*, 140-148.

¹²⁹ See above, 103, f. n. 68; 104, f. n. 71.

ly separated as the poles in their views of national policy, in their votes on specific measures, and in their interpretation of the constitution.¹³⁰ They knew that they were at odds; nothing remained of the party, indeed, but the name.¹³¹ The decade following the War of 1812 was, in short, a period of disintegration for both of the old parties, during which their several elements, with the addition of the elements contributed by the growing West, were poured into the melting pot to emerge in new forms and combinations.

¹³⁰ Cf. Ambler, *Ritchie*, 82-83.

¹³¹ "How long shall we be compelled to suffer by that contracted view of our public interests, which can embrace only the growth of cotton and tobacco, and the necessary means to provide for these articles, a profitable foreign market, we pretend not to say." *National Republican and Ohio Political Register*, March 4, 1823.

"The question is not now whether this candidate or that is a democrat or a federalist, but whether he is a friend or an opponent to domestic industry and internal improvements." *Western Herald*, quoted in *Supporter*, Aug. 2, 1823.

CHAPTER V

TENDENCIES TOWARDS REALIGNMENT OF PARTIES

The main task for which this study was undertaken has now been completed; that is, to show that both the Federalist and Republican parties, based on conditions connected with the geographical development of the United States up to the beginning of the constitutional period, were destroyed before 1825 in consequence of the changes incident to further geographical development. But the decade ending in 1825 was a period of party reformation as well as disintegration, and by the close of it the new party alignment was becoming fairly distinct. We can not fitly end our study, therefore, without a survey of the chief forces which shaped the new parties.

It seemed for a time that the contest over the admission of Missouri might lead to a new organization of parties on the basis of the slavery issue.¹ The opposition to the admission of the new state sprang from two sources. The distrust of the West which the Federalists had shown survived the party and, when the Missouri question arose, still appreciably affected portions of the East;² the growing dislike of slavery affected the whole Northwest as well as the East, and tended to unite the Republicans of that region with the former Federalists in common antagonism to the spread of the institution.

Most prominent among the opponents of the new state was Rufus King, at this time senator from New York. His speech of February, 1819,³ became the arsenal from which congressmen,

¹ Hockett, H. C., "Rufus King and the Missouri Compromise," in *Missouri Historical Review*, II, 211-220.

² See above, 67, f. n. 68; 75, f. n. 98. The tone in which easterners commonly referred to the people of the West is indicated by the following: "How do the *wild men of the west* relish a treaty that . . . does not provide for the extinction of the Indians and the assumption of the 'uppermost' Canadas?" James Emott to Rufus King, Feb. 19, 1815. King, *Life of King*, V, 472. [Italics mine.]

"A gentleman of intelligence informs us, that a most singular and sudden change has taken place in the minds of the inhabitants of our cities with respect to the western country [because of the pressure of hard times, which turned the thoughts of many towards the West.] The name but lately was associated with everything disagreeable and uncomfortable; it was used in *nurseries for the purpose of frightening children*." [Italics mine.] *Supporter*, May 12, 1819, quoting *Pittsburg Gazette*.

Cf. the description of the emigrants and their motives, in Dwight's *Travels*, II, 458 et seq.

³ *Niles Register*, Dec. 4, 1819.

newspaper writers, and other agitators drew their arguments during the whole contest. So marked was the effect of the movement in uniting the Federalists and Republicans throughout the North and West, and so central a figure was King, that many persons believed, with John Quincy Adams, that King had set on foot a concert of measures which should form the basis of a new alignment of parties.⁴ This opinion was supported by the stress which King placed upon the injustice of extending the political power of slavery, which seemed to outweigh in his mind its moral evils. Slave representation, he pointed out in his senate speech, already gave the southern states twenty representatives and twenty presidential electors more than their white population would entitle them to. The constitutional provision for such representation was an ancient settlement which faith and honor were bound not to disturb. But it was a settlement between the thirteen original states, and its extension to the new states which Congress might now be willing to admit would be unjust and odious. The states whose power would be abridged could not be expected to consent to it. The right of Congress to provide for the gradual abolition of slavery in Missouri he found to be implied in the constitutional provision that "Congress may admit new states."

The antecedents of King's views are easily recognized. In the denunciation of the extension of southern power through the admission of new states in the West, we encounter again the old prejudice shown by Federalists in the constitutional convention, and at the time of the Louisiana Purchase and of the admission of the State of Louisiana. In the constitutional argument, too, we find an attempt to give to that instrument an interpretation according with the wishes of Gouverneur Morris and his associates, of whom King was one, when they framed the clause to which appeal was now made.⁵ Notwithstanding the well-nigh universal favor with which the anti-Missouri program met for awhile in the North, the country presently recognized the association of these doctrines with Federalism. Nor did the fact that King had been a leader of that party and the recipient of the last electoral votes which it cast, serve as a disguise for this association. The Republicans therefore grew suspicious, deeming the agitation a "federalist movement, accruing to the benefit of that party," and believing

⁴ Adams, *Memoirs*, VI, 529.

⁵ See above, 46-50, 69-71, 73-75.

that King hoped to organize a sectional party on anti-slavery principles, under Federalist leadership, and strong enough to dominate the Union.⁶ That such was his conscious purpose is unproven and unlikely, but the belief seems to have caused a defection of both Republicans and Federalists from the anti-Missouri phalanx;⁷ and the vote of northern members for the compromise may find its explanation in this way. There is even evidence that President Monroe was induced to forego his contemplated veto of the compromise bill, at the risk of forfeiting the endorsement of Virginia for a second term as president, by a conviction that the compromise would defeat the machinations of King.⁸

Here, then, was a question, originating in the process of westward expansion, which shows a new tendency—a tendency for the Northwest to sever its alliance with the Old South and to form a connection with that eastern section which had formerly been the seat of antagonism to it. With the progress of the frontier, in short, the Northeast was forgetting its earlier antipathy to the Ohio Valley, and stretching out its hands to it in common hatred of the type of institution which was appearing beyond the limits of the territory to which the Ordinance of 1787 applied.⁹ South as well as north of the river, besides, the course of western economic development, which had brought it into conflict with the planting region, had given it affinity for the new industrialism of the Northeast. "The West," said the *Western Herald* in 1823, "has no interest distinct from the interest of the grain growing and manufacturing states to the east."¹⁰ The stage was set for a political revolution.

⁶ Benton, Thomas H., *Thirty Years' View*, I, 10. "Let Missouri continue her efforts . . . and a reaction may be produced which will prostrate those *Hartford Convention men* who now predominate in the north, and give the victory to the friends of the union and to the republicans of the *Jeffersonian school*." [Italics mine.] *St. Louis Enquirer*, quoted in *Niles Register*, XVIII, 371 (Feb. 3, 1821).

⁷ Gore to King, Jan. 28, 1820, King, *Life of King*, VI, 259.

⁸ *Congressional Globe*, Thirtieth Cong., 2 sess., App., 63-67. See also Barbour Correspondence, in *William & Mary College Quarterly*, X, 5-24. Cf. Ambler, *Ritchie*, 78-79.

⁹ "I shall not be at all surprised if the Mo. affr. shd. strew the seeds of a new state of things agt. the next 4 yrs. after Mr. Monroe's next term. . . ." R. H. Goldsborough, a Maryland Federalist, wrote to King, March 13, 1820. King, *Life of King*, VI, 307. "It does appear to me that the country has not so soon recovered from the Missouri question, and that the Eastern States, if they find the South and West too strong, will be inclined to cry out 'No Slavery,' and by these means compel Ohio and the Western free states to abandon their choice [Clay for president] and unite in this policy." Edward King to Rufus King, Jan. 23, 1823. *Ibid.*, 497.

¹⁰ March 1.

The adoption of the Missouri Compromise practically removed the slavery issue as a factor in the reshaping of parties, although some echoes of it were heard during the campaign of 1824, leaving the chief role in the readjustment of the political relations of sections to be played by economic questions. Only on the surface was the campaign of 1824 a personal contest among men holding "common Republican principles." The persistence of the old party name has served to disguise the wide divergence in the views of the candidates, and the colorless character of the statements made on behalf of some of them has tended the same way. In reality such statements usually emanated from the prudence which perceived the antagonism of sectional interests and knew that clean-cut pronouncements would destroy the chance of general support. It was necessary, so far as possible, to make each candidate acceptable everywhere, which really meant that the voters in each section must be satisfied that the candidate was friendly to the interests of that section.

The period had arrived when the West was ready to assert itself. Keenly conscious of its interests and its strength, it laid claim to the highest office in the land, and to a determining influence in shaping the national policies. The growth of the West, having proven the decisive factor in sapping the foundation of the old parties, was now to assert an equally important influence on the evolution of the new.

For a glimpse at the formative influence of the section in this respect we cannot do better than to take Ohio. Ohio had attained fourth place among the states of the Union, and was first in the West. Having no candidate of its own, as did Kentucky and Tennessee, its vote represents a more impartial judgment than that of either of these; while the newer states, just because they were new, played a relatively unimportant part in this election. The mixed character of the population of Ohio, moreover, which was far more representative of the several older regions than was the case in either of the neighboring states, made it a fair battleground for all of the candidates, and gave its attitude toward their respective claims unique significance.¹¹

¹¹ In collecting material on Ohio, I have been aided by the work of students in my graduate seminar. I am especially indebted to Mr. E. H. Roseboom, scholar in American History in Ohio State University, 1915-1916, who made, under my direction, a study of Ohio in the Presidential Campaign of 1824, in connection with his candidacy for the degree of M. A. This study appears in *Ohio Archaeological and Historical Quarterly*, XXVI, 153-224.

In the early stages of the state campaign the slavery question seemed likely to be again prominent.¹² Sentiment in Ohio had been practically united in opposition to the admission of Missouri as a slave state, and to the end of the campaign many persons felt that slavery should be regarded as the paramount issue. In general, however, it was felt that the Missouri question should be considered as settled, and many of those who had been most ardent in their wish to prolong the fight against slavery yielded to the view that economic interests should be ranked first.¹³ As to what were the economic interests of the West there was no disagreement.¹⁴ It is equally clear that the people regarded the election as an oppor-

¹² Cf. Charles Hammond's expectation concerning the influence of the Missouri question: "A new state of parties must grow out of it. Give me a Northern President, whether John Quincy Adams or De Witt Clinton, or anybody else, rather than that things should remain as they are." Smith, W. H., *Charles Hammond and his Relations to Henry Clay and John Quincy Adams*, 32. See also letter of Edward King to his father: "If the Missouri question should present itself, in the contest, Ohio probably would leave her favorite [Clay] and support Mr. Adams." November, 1822. King, *Life of King*, VI, 487.

¹³ "The ignis fatuus 'western interest,' is like to absorb every sound moral and political consideration." *Ohio Monitor*, quoted by *Delaware Patron*, Sept. 16, 1823.

James Wilson, editor of the *Western Herald and Steubenville Gazette*, opposed Clay on anti-slavery grounds until it became evident that the slavery issue was subordinate to economic questions. Then he turned to Clay. *Western Herald*, issues March 1 and 22, 1823, and April 24, 1824. Clay himself believed in February, 1824, that Ohio would vote for "no man residing in a slave state but me, and they vote for me because of other and chiefly local considerations." Letter to Francis Brooke. Colton, *Life of Clay*, IV, 86.

¹⁴ "It will be recollected that the promotion of domestic measures is the ground we assume as the criterion of our choice. Those candidates who are unfavorable, or not known to be favorable to these measures we throw out of the question. . . ." *Liberty Hall*, Nov. 14, 1823.

"So far as we have been able to learn the sentiments of the editors of this state, we believe, however they may differ on other subjects, that they pretty generally agree in this one important point:—that we ought to support that man for the Presidency, other things being equal, who will most effectually encourage domestic manufactures and internal improvements." *Ibid.*, Jan. 6, 1824.

Friendliness to domestic industry and internal improvements "is a *sine qua non*—an article of faith, to which every political aspirant must subscribe, before he can expect to be honored with their [Ohio voters'] suffrages." *Supporter*, March 26, 1824.

"Mr. Clay will in all probability . . . be the first choice of Ohio; but in case it shall be found that he cannot become one of the *three highest* in votes, it will become our duty . . . to turn our attention to the candidate who shall come the next nearest to our standard in point of qualification. This standard is—(1) Encouragement to domestic industry. (2) Internal improvements, by roads and canals. (3) Inflexible integrity." *Western Herald*. The *Herald* had favored making slavery the chief issue. See above, *f. n.* 13.

In announcing the founding of a new paper, *The Ohio Journal*, the publishers disavow any intention of establishing a party organ, but to "prevent misapprehension of our sentiments and of the course we intend to pursue [we] declare ourselves desirous of seeing a man elected whose policy will cause us as a nation to be respected abroad and will foster at home those two great main stays of a free and independent people—Domestic Manufactures and Internal Improvements." *Hamilton Intelligencer and Advertiser*, Aug. 16, 1824.

See similar announcement of the *Western Statesman*, in *Supporter*, Dec. 20, 1824.

tunity to translate their economic views into political action.¹⁵ Monroe's vetoes of measures which would have benefited the western country led to insistence upon the election of an executive of broader constitutional views and keener sympathy with the growing portion of the Union.¹⁶

To the several candidates Ohio voters applied the two tests mentioned, namely, attitude on the question of slavery and towards the protective tariff and internal improvements which together constituted the American System. Calhoun enjoyed a degree of popularity because of his early record, although his fidelity to his former views was brought under suspicion by the growing opposition of South Carolina to the tariff.¹⁷ At best, however, he was hopelessly overshadowed, as an advocate of the American System, by Clay, and from the moment that he lost the support of Pennsylvania for the first place his cause was dead in Ohio. The chief newspaper which had supported him transferred its influence to Clay, because of his relation to the interests of the section,¹⁸ while the friends of Jackson endorsed Calhoun for the vice presidency on the ground of his friendliness to the tariff and internal improvements.¹⁹ The liking for Calhoun in Ohio, in short, was due to the belief that he favored the American System.

Crawford, with the support of the congressional caucus, represented the remnants of the democratic organization and depended rather upon the appeal made by the "regularity" of his candidacy than upon an avowal of his principles. His record did not speak unmistakably of his attitude on the questions of the day, as did those of Calhoun and Clay, and it seemed likely that his views accorded with those of the Old South where his strength centered. These facts were sufficient to condemn him in Ohio, for the state

¹⁵ "We indulge a hope that the proceedings of the present congress [in defeating the tariff bill] will awaken a spirit of universal inquiry among the people, and produce such a change in the federal administration as will insure to it that wisdom which can discern the necessities of the country." *National Republican and Ohio Political Register*, March 4, 1823.

¹⁶ "There is a party of politicians at Washington, whose consciences are so tender, or whose minds are so contracted, that no general system of internal improvements can be anticipated, from the councils of the nation, until there is a radical change in the Executive departments." *Ibid.*, July 28, 1823.

¹⁷ *Supporter*, Feb. 26, 1824. At this time Calhoun's views were still fairly consistent with his earlier opinions. Cf. speech at Abbeville, May 27, 1825; *Niles Register*, XXVIII, 266. Two years later his correspondence begins to betray the change which carried him into the southern party and made him the chief of the nullifiers. See below, 143, f. n. 58.

¹⁸ *Liberty Hall and Cincinnati Gazette*.

¹⁹ Address of the Jackson State Committee, September, 1824. *Hamilton Intelligencer*, Sept. 27 and Oct. 4, 1824.

was resolved to support no candidate whose position with regard to western interests was uncertain. It is significant that the most damaging charge brought against Clay was that he intended, at the last, to throw his influence in favor of Crawford, which would have meant the subordination of western interests to southern.²⁰

Both Calhoun and Crawford were unacceptable in Ohio, too, because of their residence in the slave section. An added objection to both was their membership in Monroe's cabinet. The West was growing impatient and alarmed at the practice of "cabinet succession."²¹ Even more odious was the caucus system to which Crawford owed his nomination.²² Never popular, and now discredited by the defection of nearly all congressmen but those who favored Crawford, it had come to stand in western opinion for that type of political manipulation which jeopardized the rule of the people.

It seemed for awhile that DeWitt Clinton would make a strong showing in the state. He was popular both as an opponent of the expansion of slavery and as the champion of the Erie canal and a connecting system of internal improvements. He was the favorite with many anti-slavery men in the regions where the New England stock was numerous represented, and in the Cincinnati region, where the friends of internal improvements were offended by Clay's connection with the United States Bank.²³ The Clinton movement collapsed for want of support in New York.

Adams fell heir to most of Clinton's following in the eastern and northern portions of Ohio, where his opposition to slavery was sufficient to determine the choice of many of the descendants of New England.²⁴ Where economic questions were considered uppermost he suffered from a non-committal policy. His views, like Crawford's, were not to be deduced with certainty from his public record, and although friendly to the American System he believed it possible to harmonize sectional interests, and made efforts to

²⁰ See below, f. n. 42.

²¹ Resolutions of Clay Convention, July 15, 1824, published in *Columbus Gazette*, July 22; Address of Jackson State Committee, published in *Hamilton Intelligencer*, Sept. 27 and Oct. 4, 1824.

²² Cf. criticisms of the caucus, for example, in *Columbus Gazette*, Feb. 26, 1824; *National Republican*, Feb. 27, 1824; *Delaware Patron*, March 4, 1824.

²³ For example, Clinton was supported in the southwestern quarter by the *National Republican*, because of his leadership in internal improvements, and in the eastern portion by the *Western Herald*, on anti-slavery grounds.

²⁴ See files of leading Adams papers: *Ohio Monitor*, *Delaware Patron*. Most of the old Federalists probably supported him, although, in meeting the charge that he was a Federalist the *Patron* pointed out that the Federalist leaders—Judge Burnet, Elisha Whittlesey, General Beecher—were supporting Clay. Issues of October 7 and 21, 1824.

persuade Virginia that his policies would accord with the desires of the people there. He succeeded in convincing "many of the old school . . . that he was a true friend of the doctrines of 1798,"²⁵ but his cautious statements in some degree defeated the purpose for which they were made.²⁶ In the West he made no statement; it would have been difficult to satisfy the West of his devotion to its interests and at the same time seem consistent. An avowal of friendship for western policies, however, coupled with his anti-slavery principles, would have strengthened him in Ohio and might conceivably have given him a plurality in the electoral college. The addition of Ohio's sixteen votes would have given him the lead over Jackson, and the "plurality doctrine," of which the latter's friends made so much later, would have been unavailable for the opposition.²⁷ However, he refused even to allow his friends to make an authoritative statement of his principles, thus losing the support of an unknown, but certainly large, number of voters who considered certainty of attitude towards western interests a *sine qua non* for their support.²⁸ This handicap allowed prejudice to

²⁵ Ambler, *Ritchie*, 89, commenting on Adams's Address in reply to General Smyth's public statement of reasons why he would not support Adams for the presidency. Adams's address is printed in *Richmond Enquirer*, Jan. 4, 1823. Jefferson and a majority of the Old School Republicans of Virginia preferred Adams to Jackson. Ambler, *Ritchie*, 98. See Adams, *Memoirs*, IV, 353. Also note statement of Adams to James Barbour, senator from Virginia, in the interval between the election and the House balloting (Dec. 22, 1824): "I was satisfied with the tariff as now established . . . if the tariff should be found to bear hard upon the agricultural and commercial interests, I should incline to an alleviation of it in their favor. As to internal improvements . . . since the Act of Congress establishing the Cumberland road, there had been no constitutional question worth disputing about. . . ." *Ibid.*, VI, 451. In this interview Barbour assured Adams that he was the second choice of the Virginia delegation, and, he believed, of the people of the state. *Ibid.*, 450.

²⁶ On the Smyth incident Ritchie remarked editorially: "Is Mr. A. really a friend to the limited interpretation of the constitution—does he stick to the doctrines of Virginia—is he opposed to the Bank of the U. S.—to a general system of internal improvement? We cannot make out from his address. . . ." *Richmond Enquirer*, quoted by *Cincinnati Inquirer Advertiser*, Feb. 15, 1823.

²⁷ The Address of the Jackson State Committee, issued in September, 1824, predicted the selection of Jackson by the House of Representatives because of "the general impression which prevails, that that body would elect the candidate who had received the greatest number of electoral votes, and not incur the responsibility and obloquy of selecting one less popular with the people." *Hamilton Intelligencer*, Sept. 27 and Oct. 4, 1824.

²⁸ Postmaster-General McLean's brother was on the Adams electoral ticket in Ohio. In response to an inquiry, Adams wrote a letter to the Postmaster expressing views favorable to internal improvements. McLean's purpose in making the inquiry was to obtain an expression of Adams's opinion which his brother might use in the campaign, but Adams requested that the letter be kept from the newspapers. *Memoirs*, VI, 323. Despite the efforts of friends to prove his position with insufficient evidence, the opposition press continued to exploit the fact that his views were doubtful. Thus the *Supporter* brushes aside the charge of Socinianism on the one hand and the praise of his talents and character on the other as irrelevant: "The people of Ohio and of the middle states although ready to acknowledge his merits will not support him for President until they shall have ascertained beyond the possibility of a doubt

play havoc with his prospects. His personal character could not offset his lack of satisfactory views and popular qualities; rather, it contributed to the estimate of him as an aristocrat and former Federalist—a New Englander, and by that token a natural enemy of the West.²⁹ Like Calhoun and Crawford, he suffered also from the western dislike for the succession of cabinet members, the succession of the secretary of state being regarded as especially obnoxious.

Clay appeared from the first to be the logical candidate for Ohio to support. He was a western man, and more thoroughly identified than any other with what the West regarded as its essential interests. On the tariff and internal improvement policies his record left nothing to be desired, and in the last session of Congress before the election his voice had been lifted more eloquently than ever in behalf of western rights. The position of other candidates might be uncertain but not Clay's. Such considerations governed the action of the legislative caucus which endorsed him in January, 1823.³⁰ Against him the anti-slavery element urged a friendliness for slavery, as shown by his conduct during the Missouri contest,³¹ while the antagonism to the United States Bank, centering in the southwestern portion of the state, prevented him from becoming at any time the favorite in that quarter.³² The most

that his sentiments on the great political questions which now agitate the country coincide with their own." The sentiment of Congress and the West is for internal improvements and a president is wanted who will co-operate and not thwart their wishes. "We never can—we never will countenance the pretensions of any man, however meritorious he may be in other respects, whose sentiments on the questions at issue may be considered doubtful. We will put nothing to hazard." March 25, 1824. Cf. summary of irreconcilable claims made for Adams in issue of Sept. 16. At the very close of the campaign the *Supporter* remarked: "It has been proved beyond the possibility of a doubt that he always has been, and now is, decidedly hostile to internal improvements and the protection of national industry." Issue of Oct. 31, 1824.

Similar objections were made in Indiana. The *Western Sun* for July 24 said: "The chief objections to Adams are, 1 He is still at heart a Federalist, 2 He is opposed to a tariff and to Internal Improvement, . . ." Quoted by Esarey, L., "The Organization of the Jacksonian Party in Indiana," in *Mississippi Valley Historical Society Proceedings for 1913-1914*, 227-228.

²⁹ *National Republican*, Aug. 28 and Sept. 3, 10, and 29, 1824; *Supporter*, March 25, April 29, June 24, Aug. 5, Sept. 9, Oct. 21, Nov. 4, etc., etc.; *Mad River Courant*, quoted by *Columbus Gazette*, May 29, 1823; *Hamilton Intelligencer*, July 26, 1824, quoting *Boston Statesman*.

³⁰ *Columbus Gazette*, Jan. 9, 1823.

³¹ *Ohio Monitor*, Feb. 22, 1823. *Western Herald*, Mar. 22, 1823.

³² Clay had acted as attorney for the Cincinnati branch, and in that part of the state was held responsible for its pressure on debtors to the point of foreclosure in many instances. *Hamilton Intelligencer*, Feb. 24, 1823; *National Republican*, Aug. 13 and 17, and Oct. 15 and 22, 1824. The charge was repeated elsewhere in the state (*Ohio Monitor*, March 1, 1823; *Western Herald*, Mar. 22, 1823) but without serious consequences save where the bank's conduct had aroused great feeling. Charles Hammond, Clay's manager, had been chief counsel for the state during the attempt to tax the branches.

damaging attack upon him, however, was the charge already alluded to, that he was in secret favorable to the success of the candidate who represented the southern interest.³³

Jackson's campaign in Ohio was late in developing but made rapid progress.³⁴ It found its basis in the growing antipathy to the machine politics of the time, as embodied, in the popular estimate, in caucus nominations and succession of cabinet members, and to aristocratic control of the Federal Government as represented by the traditional regard for birth, social standing, and special training as essentials for the filling of public office.³⁵ Jackson's personal qualities made him immensely popular, and were believed to be a guarantee of reform of these practices.³⁶ But it is perfectly clear that notwithstanding all this, he could not have commanded any considerable support had it not been believed that he was "sound" in his views on western policies.³⁷ His orthodoxy

³³ See above, 133.

³⁴ *National Republican*, April 27, 1824. Webster, H. J., *History of the Democratic Party Organization in the Northwest*, 8 et seq.

³⁵ Address issued by Jackson Corresponding Committee of Cincinnati and Hamilton County, in *National Republican*, May 18, 1824; Address of Committee appointed by Jackson State Convention, in *Hamilton Intelligencer*, Sept. 27 and Oct. 4, 1824.

³⁶ See, for example, articles in *Hamilton Intelligencer* for Jan. 20, 24, April 13, 20, 27, May 26, Oct. 4, et passim; *Delaware Patron*, Oct. 29, 1823.

³⁷ A typical plea for Jackson is that published in the *Westmoreland (Pa.) Republican*. After adverting to the need of simplicity in government and the dangerous tendencies of the secretarial succession, it declares that the people desire a president "who would extend equal and impartial protection and support to the three great national interests—who would foster our resources, encourage domestic industry, promote internal improvements, and divested of sectional prejudice or party feeling, labor for the public good alone. General Jackson, we believe, combines these requisites in his character, and in this faith we have united in support of him." Quoted by *Cincinnati Inquirer Advertiser*, Feb. 22, 1823.

"Jackson was considered a 'good tariff and Internal Improvement man' in all three of his campaigns in Indiana. Any intimation that he was not sound on both of these issues would have been resented by his Indiana friends."—Esarey, "The Organization of the Jacksonian Party in Indiana," *loc. cit.*

Cf. Address of Hamilton County Committee, which declared that "ill-founded constitutional scruples" had intervened to prevent appropriations for national purposes. Also Address of the State Committee, which deplored Clay's candidacy as dividing those holding the same sentiments as to a national policy, and declared Jackson's "views of public policy, as to internal improvements and protection to domestic manufactures, eminently qualify him for the chief seat in our national councils."

Cf. Jackson himself, in letter to Col. George Wilson, April 17, 1824: "It is well known that I am in favor of the general principle of the [tariff] bill," etc. Parton, *Life of Jackson*, III, 42. See also the letter to L. H. Coleman, April 26, 1824: "Where has the American farmer a market for his surplus product? Except for cotton, he has neither a foreign nor a home market. Does not this clearly prove, when there is no market either at home or abroad, that there is too much labor employed in agriculture, and that the channels of labor should be multiplied? Common sense points out at once the remedy. Draw from agriculture this abundant labor; employ it in mechanism and manufactures, thereby creating a home market for your bread stuffs, and distributing labor to the most profitable account, and benefits to the country will result. In short, sir, we have been too long subject to the policy of British merchants.

in this regard was taken for granted, and the attacks upon him were based on his unfitness for the presidential office.³⁸

The friends of both Clay and Jackson deplored the division of support between two western candidates. Each group urged that the division endangered the influence of the West in the election and charged the other with the blame. Jackson's friends urged the withdrawal of Clay, but there was at no time any hope of a union of the two groups.³⁹ It was also perceived that the cause of the West could triumph only through union with the Northeast or South. A union with the Northeast could be effected, however, only by accepting an eastern candidate;⁴⁰ while southern votes for a western man could be had, if at all, only at the price of subordination of western interests.⁴¹ The friends of both Crawford and

It is time we should become a little more Americanised, and, instead of feeding the paupers and laborers of England, feed our own, or else, in a short time, by following our present policy, we shall all be rendered paupers ourselves. . . ." *Ibid.*, 84 et seq.

The *Hamilton Intelligencer*, June 29, and *National Republican*, Aug. 24, 1824, contain typical articles designed to prove Jackson's friendliness to western interests. An occasional doubt appears, e. g., *Liberty Hall* questioned the sincerity of his protectionism in view of the fact that his strength was so great in the South (April 27, 1824), and was sure that the American System had a thousand better friends. Quoted in *Supporter*, Aug. 12, 1824.

³⁸ *Liberty Hall*, Sept. 2, 14, 21, 24, Oct. 1, 1824; *Supporter*, Feb. 26, Oct. 21, 1824. See below, 139, f. n. 48. The situation in Indiana was similar, in a general way, although being still in the pioneer stage, Jackson's following was proportionately stronger. "The sympathies of the pioneers were for the rough and rugged Jackson. It was known that Jackson opposed the banks, and, on that ground, received the support of great numbers of financially embarrassed settlers who attributed the scarcity of money to the manipulation of bankers. . . . The business men and the well-to-do farmers usually favored Clay on account of his position on the tariff and internal improvements. . . . Adams stood well with the lawyers and other professional men and was the favorite among the Quakers and other settlers on the Whitewater. . . ."—Esarey, *History of Indiana*, 250 et seq.

³⁹ Address of the Jackson State Committee, *loc. cit.*; Resolutions of Clay Convention; *Cincinnati Inquirer Advertiser*, Feb. 7, 28, March 3, Sept. 11.

⁴⁰ "The eastern and northern states from the important part they took in achieving our independence and establishing the form of gov't under which we live, & from which we derive such incalculable benefits, have an undoubted right to be a little tenacious of the honor of furnishing the next President; and courtesy & reciprocity of benefits should induce the other sections to accord to them that honor, provided the candidate offered possesses equal qualifications with the other competitors." *Delaware Patron*, March 18, 1824. The *Patron* favored Adams.

⁴¹ "If a western interest is intended to effect the election of a president, as is proposed by all who speak of the feasibility of electing a western president, it must include all the southern states, and one or more of the middle states, and if a western candidate is elected by such votes he must be governed by their policy." *Ohio Monitor*, Feb. 15, 1823. Like the *Delaware Patron*, the *Monitor* favored Adams.

Clay indulged a hope of winning the support of Virginia, his native state, and visited friends there in 1822 to promote his candidacy. Ambler, *Ritchie*, 87-90. His cordial reception encouraged his hope, but at times he perceived its vanity. See correspondence with Francis Brooke, especially letter of August 28, 1823, quoted above, 113, f. n. 100. The conclusion of this letter, as to his own prospects in Virginia, is gloomy: "You will oppose my election, I suppose, in Virginia. I have no right to complain." And he perceives clearly the reasons why he cannot expect the desired support. "You will oppose me because I think that the interests of all parts of the Union should be taken care of; in other words, that the interests of the

Clinton sought to promote coalitions in behalf of their candidates. So far as Crawford's hopes are concerned, they were impossible of realization because of the incompatibility of the sectional interests concerned, and the overtures of his friends were rejected without hesitation.⁴² The Clintonians pled with more reason that Ohio should join with the Northeast in support of their candidate rather than a western man, upon the basis of common opposition to slavery expansion and common desire for internal improvements and protection.⁴³ As later events proved, there was an excellent basis for a union of the Ohio Valley and those eastern states which favored the American System, in support of Adams. But none of the schemes for coalition made any headway. In default of common support of a candidate for the presidency, the next best step in the direction of new sectional alliances was to support candidates of different sections for the presidential and vice-presidential offices. From this angle, the acceptance of Calhoun as the candidate for the second place by the western friends of Jackson is significant. While it did not at the time mark a personal alliance of the two men, it foreshadowed it, and the union of their followers in opposition to the administration during the term of Adams. Similarly, the Clay men, although refusing to forsake their favorite at the suggestion of the friends of either of the northern candidates, resorted to the strategy of bidding for the support of the Northeast by nominating Sanford, of New York, for the second

interior, on the two subjects mentioned, as well as that of the maritime coast, ought to be provided for." In a later letter to Brooke, however (Feb. 28, 1824), he argues that the caucus nomination has destroyed Crawford, that Virginia will have to choose between Jackson and himself, and urges a demonstration in his favor. Colton, *Life of Clay*, IV, 86 et seq. A few days later he suggests that any appeal to the people in his behalf should be "temperate and conciliatory." To Brooke, March 6, 1824. *Ibid.*, 88.

⁴² The desire of Crawford's friends to win support for him in the West (Ambler, *Ritchie*, 94 et seq.) was the source of the charge of coalition with Clay. (See above, 203, 210). Clay's opponents used it quite effectively, asserting that to support Clay meant eventually to aid Crawford. *Delaware Patron*, Aug. 6, 1823, June 24, July 15, and Sept. 15, 1824; *National Republican*, March 30, April 2, 16, June 1, 22, and Aug. 13, 1824. Clay gave the proposal no countenance, unless we can so construe his suggestion to Brooke, March 6, 1824, that his friends at Richmond should not clash with those of Crawford. Colton, *Life of Clay*, IV, 88. He insisted that the vote of the northwestern states would go for Adams as their second choice. To Brooke, Feb. 28, 1824. *Ibid.*, IV, 86. The mutual friends of Clay and Crawford, in Virginia, sought to force a vice-presidential nomination upon the former. Said one: "As to consulting Mr. Clay it is injudicious. Let him not be consulted, and the force of circumstances must urge him into an acquiescence. . . . When New York elects electors favorable to Mr. Crawford her Legislature ought to nominate Mr. Clay as vice-president." Ambler, *Ritchie*, 94 et seq. Clay's friends took great pains to deny the charge of coalition with Crawford. *Columbus Gazette*, Jan. 22, 1824; *National Republican*, April 2, 1824; *Supporter*, April 15 and Sept. 30, 1824. The whole incident affords interesting collateral evidence of the incompatibility of their sections.

⁴³ *National Republican*, Sept. 19, 1823.

place.⁴⁴ The Adams group made an attempt of the same kind by advocating in Ohio and elsewhere for a time the nomination of Jackson as the New Englander's running mate.⁴⁵ All of these devices are significant as indications of the tendencies to realignment, but none of them were practically effective in securing intersectional co-operation to a sufficient extent to determine the election. The continuation of the four leading candidates in the field to the end of the contest insured, as was foreseen, a resort to the House of Representatives for the final choice.⁴⁶ In this campaign the race for the electoral vote served as an elimination event, to be followed by coalitions of the kind which could not occur before the election. The way was thus cleared for the union of the West and Northeast which had been advocated in vain before the election. The interval between the election and the balloting of the House was the period, in which these coalitions took form, and they were shaped by the same forces which we have found at work during the campaign. It was inevitable that the influence of the eliminated candidate should be a prime factor in determining the final result.

The motives of Clay in deciding to support Adams rather than either of the other candidates are no longer a mystery. They are in entire accord with his long-established views. Agreeable as Crawford was to him as a man, his policies, even if the unfortunate stroke of paralysis had not cast doubt upon his physical capacity for office, were such that Clay could not possibly have supported him.⁴⁷ As to Jackson, however satisfactory his views with regard to public policies, Clay's conviction of his personal unfitness is not to be doubted.⁴⁸ Adams, on the other hand, although never

⁴⁴ Report of Clay Convention, at Columbus, in *Columbus Gazette*, July 22, 1824.

⁴⁵ Adams, *Memoirs*, VI, 253; *Delaware Patron*, April 8, 1824.

⁴⁶ Clay's chance of coming before the House depended largely upon his ability to command electoral votes in the South. But although his western friends endeavored to make it appear that his candidacy was based on broad national grounds (*Cf.* Address of Clay Convention at Columbus), he failed in the South as Crawford failed in the West, and for the same reason, *vis.*, that each represented the interests of his own section, and they were irreconcilable. In western Pennsylvania and New York, where sentiment was in harmony with Clay's policies, it was made to accrue to the benefit of other candidates.

April 26, 1823, the *Western Herald* remarked that all of the candidates were sectional, and sectional influences would prevail in the House election.

⁴⁷ Clay to Hammond, Oct., 1824 (Smith, *Hammond*, 37); to F. P. Blair, Jan. 8, 1825 (*Works of Clay*, Federal edition, IV, 109 *et seq.*); to Francis Brooke, Jan. 28, 1825 (*ibid.*, IV, 111.)

⁴⁸ See letters to Blair and Brooke, cited in preceding note; also to Rutgers, June 4, 1827, *ibid.*, 168. *Cf.* Hammond: "It is their [Clay's friends'] sincere and honest conviction that he does not possess the political intelligence and judicial information indispensable in a

in cordial relations with Clay, was respected for his ability and known by him to be in sympathy with the American System.⁴⁹ Besides, Clay and his friends believed that Adams was the second choice of the West.⁵⁰ In fact, instead of determining the western delegations in their choice, Clay seems to have followed rather than led; and in supporting Adams the West was pursuing its true economic interest.⁵¹

The union of forces foreshadowed by the aid of Clay's friends in electing Adams was carried towards its consummation by the appointment of Clay as secretary of state, and the final result was

president." *Cincinnati Inquirer Advertiser*, Sept. 11, 1824. For Hammond's more intimate opinion see Smith, *Hammond*, 35. See also John C. Wright to Ephraim Cutler, in Cutler, *Life of Cutler*, 185.

⁴⁹ "He wished me, as far as I might think proper, to satisfy him with regard to some principles of great public importance." Adams's record of interview with Clay on Jan. 9, 1825. *Memoirs*, VI, 464.

⁵⁰ The *Supporter* declared, July 8, that Clay's rumored withdrawal, if it took place, would give Ohio to Adams. See letter of Hammond (signed "L.") in *Cincinnati Inquirer Advertiser*, Sept. 11, 1824: He believed Clay's withdrawal would give Ohio, Indiana, New York, and New Jersey to Adams. The drift of Clay's friends towards Adams became noticeable as soon as the result of the fall election was known. The caustic comment of the Jackson press really bears witness to a natural preference for Adams: "It is really amusing to observe with what facility some of the chief men of the Clay party in Ohio, men who have pretended to be the champions of a liberal and enlightened policy for the protection of Domestic Manufactures, can veer about, as interest or ambition may dictate, and become the humble supporters of a man notoriously opposed to 'domestic measures.'" *National Republican*, Dec. 28, 1824. In the issue for March 4, 1825, the *Republican* refers to Clay as the "Arnold of the West." The Clay men who supported Adams were better informed than their critics as to his real views. Clay wrote to Blair (letter cited above, 139, f. n. 47): "What has great weight with me is the decided preference which a majority of the delegation from Ohio has for him over General Jackson." In the House election ten of the Ohio delegation voted for Adams, two for Jackson and two for Crawford. Clay's reasons for his course are summed up in his *Address to his Constituents*: *Niles Register*, XXVIII, 71 et seq. Clay had declared Adams to be the second choice of the Northwest in February, 1824. Letter to Brooke, cited above, 139, f. n. 47.

⁵¹ Cf. letters of members of the Ohio delegation, published in the *Address of Henry Clay to the Public*, Appendix, 30-61, for statements showing that Adams's support was due to the recognition of the community of interest between the West and the Northeast, and suspicion of Jackson because of his personal limitations and the support given him in the South. See also letter of W. Creighton, of Chillicothe, Ohio, approving of Clay's union with Adams, on the assumption "that Mr. A. will pursue a liberal policy, and embrace within its scope the great leading policy that you have been advocating." Colton, *Life of Clay*, IV, 118. Similar motives influenced members of the delegations of other western states. See letter of David Trimble, of Kentucky, to the editor of the *Mount Sterling Spy*: ". . . My own opinion was founded on the facts as I knew them to exist, and upon considerations referable to the general interests of the union, and of the western states as a part of it. Apart from personal feeling, it was as clear a case as I ever had before me. . . ." Quoted in *Niles Register*, XXVIII, 69. Cf. letter of Francis Johnson *To the Public*, March 7, 1825, *Niles Register*, XXVIII, 25; Brent, of Louisiana, to the editor of the *Attakapas Gazette*, *ibid.*, 134; and numerous others, *ibid.*, 203 et seq. Gaslay, one of the two Ohio representatives who voted for Jackson, said that he talked with three other Ohio members, two of whom said that it would not do to vote for Jackson, as he was the enemy of internal improvements; the third was ready to risk violating the wishes of his constituents.

(the National Republican party, the platform of which was the American System.

The Democratic party grew out of the opposition. It must be recalled that the Republican party had from the beginning embraced antagonistic elements in the coastal aristocracy of planters and the farming democracy of the back settlements. Although the planter pressed close after the pioneer farmer in the Gulf region, we have seen that down to 1825 the movement of population to the west of the Alleghanies was predominantly a migration of the democratic stock of the piedmont. It was this element of the Republican party which had colonized the Ohio Valley, and ten years after the close of the War of 1812 the transalleghany region was still in large measure the child of that Old West of the eighteenth century which had challenged the political supremacy of the coast. The sweep of this pioneer stock into Indiana, Illinois, Mississippi, and Alabama carried into practice the democratic ideals for which they had struggled in their old homes, for although white manhood suffrage did not invariably prevail, the basis of apportionment was white population, even in the new slave states. Thus expanding democracy won on its new field the cause for which it had fought in vain in the old states.⁵²

The growth of the number of new states, democratically governed and enjoying equal rights in the Union, foretold the early triumph of democratic principles in national politics. One might expect to find the western democracy turning upon the planting class. But suffrage and apportionment continued to be matters under state control, and the contest within the original states went on unaffected by the growth of the West save as the attraction of the lands and more liberal institutions there resulted in concessions to prevent migration. It was only in the national arena that the West could exercise its political power. The breach between South and West, in short, took place on economic grounds, and that portion of the West which placed economic interests first followed Clay into the coalition with Adams which formed the National Repub-

⁵² By 1820, all of the states in the Northwest (except Ohio) and Missouri, had established manhood suffrage for whites. In the Southwest the same rule held except in Louisiana and Mississippi: in the former voters must be taxpayers or purchasers of public lands; in the latter enrollment in the militia or payment of taxes were alternatives. In Tennessee even free negroes voted until 1824. Maine, New Hampshire, Vermont, Maryland, and South Carolina had adopted white manhood suffrage by 1820.

lican party.⁵³ The democratic impulses of the West tended, however, in quite another direction. The aristocratic practices prevalent heretofore in the national administration were equally odious whether pursued by the northern or southern representatives of the coastal oligarchy; yet of the two old coastal parties it was the Republicans who had steadfastly upheld the equal political rights of the people in the new western communities, while the Northeast was historically associated with jealousy of popular ideals of government. The circumstances under which the National Republican party was born unfortunately gave offense to these sentiments, and enabled the friends of Jackson to promote his cause in the name of popular rule. The efforts which his group had made during the campaign to arouse the people against the methods of the politicians were redoubled when the House disregarded the indication of the popular choice afforded by the plurality for Jackson in the electoral college, because, as they charged, of a corrupt bargain between Adams and Clay, by which the latter received the appointment as secretary of state in return for his support.⁵⁴ The "defeat of the will of the people" by this "corrupt" pro-

⁵³ The earlier writers were inclined to see in the National Republican party a revival of Federalism. Thus Parton says of the Adams administration: "Federalism supposed to be dead, was living, rampant, and sitting in the seat of power." *Life of Jackson*, III, 89. According to Benton, the election of Jackson was a "triumph . . . of the democracy over the federalists, then called national republicans. . . . For although Mr. Adams had received confidence and office from Mr. Madison and Mr. Monroe, and had classed with the democratic party during the fusion of parties in the 'era of good feeling,' yet he had previously been federal; and in the re-establishment of old party lines which began to take place after the election of Mr. Adams . . . his affinities, and policy, became those of his former party. . . ." *Thirty Years' View*, I, 111-112. Such a statement ignores the new force in the establishment of party lines, i. e., the West. The phenomenon under observation was not the "re-establishment of old party lines," as Jefferson perceived at the time. A letter written by him relative to the Clay-Adams coalition bears witness to this and to his disappointment at the revolution in the relations of the sections: "I fear with you all the evils, which the present lowering aspect of our political horizon so ominously portends. . . . And what is still less expected was that my favorite western country was to be made the instrument of that change. I have ever and fondly cherished the interests of that country, relying upon it as a barrier against the degeneracy of public opinion from our original and free principles. But the bait of local interests . . . has decoyed them from their kindred attachments to alliances alien to them. . . ." To Ritchie, quoted in Ambler, *Ritchie*, 102-103. Cf. letter to W. F. Gordon, Jan. 1, 1826; Ford, *Writings of Jefferson*, X, 368. Jefferson's grief over the West's apostasy was somewhat unnecessary, inasmuch as National Republicanism, instead of rejecting popular principles of government as Federalism had done, united Federalist nationalism with Republican confidence in the people. Such, indeed, was the happy implication of the party name.

⁵⁴ Cf. effect in Virginia of the rumor that Clay had agreed to support Adams in the House in return for the appointment: "The good people are run mad here about the presidential election. I was with some of our great men at Dr. Brockenbrough's the other night and found them all universally denouncing Clay and Adams. They . . . said that they would take Jackson and any body now in preference to Adams." Betsy Coles to Andrew Stevenson, quoted by Ambler, *Ritchie*, 99. Ritchie now "turned the guns prepared for Jackson upon Adams." *Ibid.* See also 106-107, 112-113.

cedure, and the necessity of electing Jackson to vindicate the right of the people to rule, were the arguments employed with greatest effect by the managers of the campaign which brought Jackson to the White House. It was exactly calculated to rally the western population and the newly enfranchised classes in the old states.⁵⁵ The rule of intriguing politicians in the nation's capital became the object of attack much as aristocratic domination had been attacked by the interior democracy of the original states.⁵⁶

But this does not afford a complete explanation of the triumph of the "Old Hero." The planters felt no enthusiasm for popular government such as inspired all this acclamation and yet they continued in alliance with the democratic element of the West and formed the second factor in the Jacksonian Democracy in the period of its inception, as they had done in the Jeffersonian Republicanism. The explanation lies in their opposition to the economic policy of the Adams administration. The inaugural address and first message of the new president revealed that the South had nothing to expect from the National Republicans,⁵⁷ and gave the basis for renewed union with a part of the West in common opposition to the party in power.⁵⁸ In their disregard of the policies which Jack-

⁵⁵ "The election of John Q. Adams by the House of Representatives welded the dissatisfied democrats of Indiana into the Jacksonian Democratic Party. There was a fierceness in their resentment of the treatment of Jackson which was little short of warlike. They referred to the election of Adams as 'the theft of the presidency.' All believed that Clay had sold his influence to Adams for the appointment as Secretary of State, a bargain and sale of the government which they thought far more dangerous than Burr's Conspiracy."—Esarey, *History of Indiana*, 298.

⁵⁶ "The election of General Jackson was a triumph of democratic principle, and the assertion of the people's right to govern themselves. That principle had been violated in the presidential election in the House of Representatives in the session of 1824-'25; and the sanction, or rebuke, of that violation was a leading question in the whole canvass." Benton, *Thirty Years' View*, I, 111.

⁵⁷ Adams, *Memoirs*, VII, 105. "The declaration of principles [in the inaugural address] which would give so much power to the government, and the danger of which had just been so fully set forth by Mr. Monroe in his veto message on the Cumberland road bill, alarmed the old republicans, and gave a new ground of opposition to Mr. Adams' administration, in addition to the strong one growing out of the election in the House of Representatives. . . . This new ground of opposition was greatly strengthened at the delivery of the first annual message. . . ." Benton, *Thirty Years' View*, I, 54.

⁵⁸ The renewal of the alliance between the planters and the western democracy was deliberately engineered by the political managers. Cf. letter of Van Buren, dated Jan. 13, 1827, outlining the plan for such an alliance between "the planters of the South and the plain Republicans of the North," quoted by Ambler, *Ritchie*, 107.

Cf. J. C. Calhoun to his son, Aug. 26, 1827, in which he bases his opposition to the administration on the ground of the corrupt means by which it came to power, and the mistaken policy "of arraying the great geographical interests of the union against one another,"—that is, by the advocacy of the American System. Jameson, J. F., *Correspondence of John C. Calhoun*, 249-250. Cf. Benton, *Thirty Years' View*, I, 111. This letter of Calhoun's is one of

son would pursue when president, however, the southerners by aiding in his election, prepared to step from the frying pan to the fire. The natural antipathy of the planters towards the political self-assertion of the people, the measures of the new government, and the autocratic temper of Jackson as chief magistrate, combined to hasten a further readjustment of party groups, in which the breach between South and West was widened by the defection from the Democracy of that southern faction which, as State Rights Whigs, entered into mismated union with the National Republicans.⁵⁹

the earliest evidences of the change of attitude which he was making. As late as May, 1825, he had reaffirmed his earlier views. See *above*, 182, *f. n.* 17.

Crawford did not accept the bargain charge as true, but wrote to Clay, Feb. 4, 1828, criticising Adams's course as president: "The whole of his first message to Congress is replete with doctrines which I hold to be unconstitutional." Even this, "although exceptionable," would not have driven Georgia under the banner of Jackson, Crawford thought, had it not been for Adams's Indian policy. Colton, *Life of Clay*, IV, 191. Clay replied: "Truth compels me to say that I have heartily approved of the leading measures of his administration, not excepting those which relate to Georgia." *Ibid.*, 192.

⁵⁹ See Phillips, U. B., "The Southern Whigs," in *Turner Essays in American History*, 208-229.

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CHAPTER I

THE LOYALISTS ON THE UPPER OHIO

Toryism or Loyalism became active among the frontiersmen of western Pennsylvania before it did in other parts of the Colony. This activity was evoked in the early seventeen seventies by Lord Dunmore's attempt to settle the boundary dispute between Virginia and Pennsylvania by taking forcible possession of Fort Pitt. Dunmore's agent in effecting this enterprise was Dr. John Connolly, captain commandant of the militia in the region concerned, who with about 80 of his men seized the fort at the end of January, 1774, changed its name to Fort Dunmore, organized the surrounding district into a new county, and thus supplanted or usurped the authority of Pennsylvania on the upper Ohio. The new order of things found many supporters among the old residents of Pittsburgh, those who resisted being severely dealt with by the commandant, while the neighboring Indians were subjected to depredations by Connolly and his adherents. Stirred thus to acts of retaliation, the savages were not restored to a state of submission until Dunmore had conducted the militia of the frontier counties on an expedition against them, which received the sounding appellation of Dunmore's War.

The clash of authority between the new regime and the old at Fort Dunmore is illustrated by a proclamation issued by Connolly at the end of this year. In this manifesto the commandant said that he was informed that certain persons in the region roundabout, who were called collectors, were apparently authorized to commit various deeds of violence, including the breaking open of doors, cupboards, etc., in order to extort money from the inhabitants under the name of taxes. He therefore apprised his Majesty's subjects that there could be no authority legally vested in anybody to perform such acts "at this juncture," that such measures were unwarrantable as abuses of public liberty, and that all persons had an undoubted natural, as well as lawful, right to repel them. The proclamation closed by directing the people to apprehend anyone attempting the seizure of their effects, in consequence of such

imaginary authority, in order that he might be dealt with according to law.¹

In June, 1775, Connolly held an Indian council at the fort in pursuance of the programme of his patron, the governor of Virginia, to win the redmen for the King, and he tells us in his *Narrative* that he "had the happiness" of doing so. He also relates how he brought together a group of his friends—"most of them either officers in the militia, or magistrates of the county" (of West Augusta)—who entered into a secret agreement to assist in restoring constitutional government, if he could procure the necessary authority to raise men. It is clear, therefore, that Connolly and his adherents were determined to prepare for armed resistance to the revolutionary party, which had assumed control of the colonial government.

As a precautionary measure, which Dunmore deemed needful on account of the numerous friends of the American cause on the upper Ohio, the commandant disbanded the garrison of Fort Dunmore in the early days of July, and on the 20th of that month set out for Virginia to submit his plans for future operations to the official he was serving. Arrived at Norfolk, where Dunmore was already a refugee on board a British man-of-war, Connolly spent two weeks completing his arrangements, and then proceeded to Boston to lay them before General Gage. In brief, his plan was to secure the coöperation of the whites and Indians from the royal post at Detroit and the garrison from Fort Gage on the Illinois in an expedition against the upper Ohio, where he would enlist a battalion of Loyalists and some independent companies, besides gaining the active support of the neighboring Indians. With the force thus collected, he would seize or, if necessary, destroy forts Pitt and Fincastle, and form a junction with Lord Dunmore at Alexandria, thus severing the Southern Colonies from the Northern and assuring the success of the royal cause in the South. That the Indian villages might be prepared for his coming, Loyalist traders went among them to represent to them that the American "Long Knives" were no less enemies of the tribesmen than of the King. This part of Connolly's plot was the first to be thwarted, for the Committee of Correspondence of West Augusta County brought about a conference in September and October, 1775, at Pittsburgh between the tribes from the Ohio, upper Allegheny,

¹ *Colon. Records of Pa.*, X, 288.

and the neighborhood of Detroit and the commissioners of Congress, which terminated in a treaty of peace and neutrality.²

But other unforeseen contingencies were to arise to the complete undoing of the plot. Connolly returned to Virginia after a prolonged stay in Boston, received a commission as lieutenant colonel commandant from Dunmore, and in company with two Loyalists, Allen Cameron and Dr. John Ferdinand Dalziel Smyth, set out for Detroit, November 13. Smyth was to be appointed surgeon and Cameron a lieutenant in the battalion—the Loyal Foresters—to be raised by their companion. A week later the trio was arrested a few miles north of Hagerstown, and a few days thereafter a copy of Connolly's "proposals" was discovered in his possession, whereupon Congress was asked what should be done with the prisoners. That body ordered that they be escorted to Philadelphia under guard. On the night of December 28, Dr. Smyth escaped from the jail at Fredericktown with letters to Connolly's wife and the Tory, Alexander McKee, at Pittsburgh, as also to military officers at Kaskasia and Detroit. The latter were urged to "push down the Mississippi and join Lord Dunmore." After a perilous journey of 300 miles, the undaunted messenger was captured by a party from Fort Pitt, January 12, 1776, with Connolly's letters still on his person. He was then conveyed to Philadelphia, or as he picturesquely expresses it, he was "dragged in triumph 700 miles, bound hands and feet, to the Congress." Meantime, Connolly and Cameron had been conducted to the same destination and were brought before the Committee of Safety, January 29, but were remanded to jail to remain until further orders as persons "inimical to the liberties of America." In the following December Cameron and Smyth planned to escape from their confinement by a rope made of blankets. Smyth appears to have succeeded at this time, or soon after, for he came in with Lieutenant James Murray and 61 recruits very soon after Howe's expedition landed at the head of the Elk River, August 25, 1777, and was given a captain's commission in the Queen's Rangers a month later. In representing his own services at the close of the war, Smyth with characteristic exaggeration claimed to have raised a corps of 185 men at his own expense, in addition to others in such numbers that his recruits composed the greater part of the Rangers. Cameron, however, had the misfortune of breaking both his ankles by a fall of fifty feet, when he attempted to descend by

means of the improvised rope; but he recovered sufficiently to undertake the voyage to England in the winter of 1778, the British being then in possession of Philadelphia. In the fall of 1776 Connolly was released on account of failing health, and was permitted to reside on his parole at the house of his brother-in-law, James Ewing, on the Susquehanna River. Suspicions soon arising concerning his conduct, Connolly was remanded to jail, but was again allowed to retire to Ewing's plantation, April 2, 1777, after furnishing a bond of £4,000 for his good behavior and promising not to depart more than five miles from the plantation. A little more than six months later Congress ordered its troublesome prisoner of war confined in the jail at Yorktown, where it was then sitting, on the ground that he was not acting consistently with his parole and was believed to be the prospective instrument in a barbarous war with which the frontier was being threatened. He was kept in confinement until in November, 1779, when he was sent to Germantown on parole, and on July 4, 1780, was allowed to go to New York, under pledge of doing or saying nothing injurious to the United States and of conducting himself as a prisoner of war should do. Nevertheless, he promptly submitted plans to Sir Henry Clinton for employing provincial troops and Indian auxiliaries in attacking the frontier outposts, seizing Pittsburgh, fortifying the Alleghenies, and otherwise promoting the royal cause in that region. By April 3, 1781, the only progress Connolly appears to have made towards realizing these ambitious projects was in enlisting 58 Loyal Foresters; and when Clinton proposed to commission him lieutenant colonel commandant in the Queen's Rangers, he accepted the commission and sailed with that corps for Yorktown, Va. On his arrival at Yorktown, Connolly was appointed by Cornwallis to the command of the Virginia and North Carolina Loyalists, with a detachment of the York Volunteers, and was sent to protect the inhabitants of the peninsula formed by the James River and Chesapeake Bay. Late in September he was again taken prisoner, but after Cornwallis's surrender was permitted by the governor of Virginia to return to Philadelphia, where he arrived, December 12th. At the end of the same month Connolly was brought before the Supreme Executive Council of Pennsylvania, on the charge of having violated his parole in Virginia, and was committed to the common jail, inasmuch as his going at large would be "dangerous to the public welfare

and safety." With him was incarcerated one of his Loyal Foresters, James Lewis, who attended him as a servant. Connolly remained in prison until March 1, 1782, when through the efforts of friends he was permitted to withdraw to New York, on condition of his going to England. This condition he fulfilled "when the fleet sailed." In his *Narrative* Colonel Connolly tells us that the recruits he had raised in Virginia, together with the officers he had warranted for his intended regiment, shared the fate of Cornwallis's army at Yorktown, and that those recruits (Loyal Foresters) who had remained at New York, "as soon as the war became merely defensive, were drafted into another corps." The misfortunes of Connolly and his intimates served to block, not once but several times, a plot that American historians agree was the most formidable Tory enterprise ever concocted against the back country during the entire revolutionary period, and one which, if successful, might have produced grave consequences for the American cause in general.²

There were, however, other Tory enterprises besides Connolly's, which aimed at the reduction of the country on the upper Ohio. One of these was revealed late in August, 1777, to Colonel Thomas Gaddis of Westmoreland County, Pa., who in turn warned Lieutenant Colonel Thomas Brown at Redstone Old Fort on the Monongahela that the local Tories had associated for the purpose of cutting off the other inhabitants. While Brown kept guard over his powder magazine and sent word to the patriots to be "upon their watch," Gaddis and Colonel Zackwell Morgan of Monongalia County, Va., at once led out the militia, together with some unenlisted men, in search of the Loyalists; and by August 29, Colonel Morgan was able to report that he had already captured numbers of associators, who confessed that they were in league with certain leading men at Fort Pitt and were awaiting a concerted attack by a force of British, French, and Indians on that post, which was then to be surrendered with but little opposition. Some of those involved in this plot fled to the mountains. Among these was Henry Maggee of the Perth Valley in Cumberland County, who resorted with thirty others to the fastnesses of the Alleghenies. Some years later Maggee made an affidavit that,

² Siebert, "The Tories of the Upper Ohio" in *Bien. Report, Arch. and Hist., W. Va., 1911-1914*, 41; *Pa. Mag. of Hist. and Biog.*, Apr., 1889, 154-166; Oct., 1889, 281-286; *Colon. Records of Pa.*, X, 461, 470; XI, 196; XIII, 160, 163. *Papers read before the Lancaster Co. Hist. Soc.*, VII, No. 6, 126; *Sec. Rep., Bur. of Archives, Ont.*, Pt. II, 1144-1146; *Rev. W. O. Raymond's Ms. Notes from the Muster Rolls of the Provincial Corps; Am. Arch.*, 4th Ser., IV, 88, 104, 112, 155, 479, 508, 598, 617; V, 1119, 1121, 1122; VI, 433, 434, 435.

in conjunction with his friends, he had induced 431 men to sign for enlistment in Butler's Rangers, whose headquarters were at Fort Niagara, but that these recruits were obliged to disperse when one of their number turned informer. Maggee first went to Philadelphia and in 1778 to Nova Scotia. It is not unlikely that William Pickard and his two sons of Westmoreland County signed Maggee's agreement, for we find them joining Butler's Rangers in 1777. Alexander Robertson, an Indian trader, who was one of those caught planning to destroy the powder magazine on the upper Ohio, also fled in the same year.³

The closing scene in the conspiracy of 1777 was enacted at Pittsburgh, March 28, 1778, when Captain Alexander McKee, Matthew Elliott, Simon Girty, Robert Surphlitt, John Higgins, and McKee's two negroes made their escape. Captain McKee was the deputy superintendent of Indian Affairs at Fort Pitt, Surphlitt was his cousin, and Higgins appears to have been one of his servants. Simon Girty had long acted as interpreter for the Six Nations. During a considerable time both McKee and Girty had been regarded as suspicious characters and, after an investigation into the alarming situation on the Western frontier by a commission appointed by Congress, these two men and one other had been placed under arrest for a brief period in the autumn of 1777. In Matthew Elliott, who was an Indian trader, the little party of fugitives had a guide who knew the route to Detroit. The trail followed by these Loyalists led through what is now southern Ohio, by way of Coshocton and Old Chillicothe on the west bank of the Scioto River (the site of the present village of Westfall) and thence through the Wyandot towns on the Sandusky River to their destination. At the Shawnee village of Old Chillicothe McKee and his followers found James Girty, whom they persuaded to join them later at Detroit. Shortly after their arrival at this British post, Lieutenant Governor Henry Hamilton appointed McKee deputy agent for Indian Affairs, Elliott captain in the Indian Department, and Simon Girty interpreter and agent in the secret service. Thus, these men were afforded full opportunity to instigate and take a leading part in operations against the frontier

³Thwaites and Kellogg, *Frontier Defense on the Upper Ohio*, X, 14, 21-24, 32-42, 46, 51-53, 54-55, 70, 142-145, 184-187, 250; *Jour. of Cong.* (new ed.), IX, 831, 942-944, 1018; *Sec. Rep. Bur. of Archives, Ont.*, (1904), Pt. I, 537; Pt. II, 963, 964; Pt. I, 150.

which they had left but recently.⁴ That there were other accessions at Detroit of Loyalists from Pittsburgh during this period appears probable from the statement of Brigadier General Edward Hand, who wrote from the latter post, April 24, 1778, to General Horatio Gates, complaining that since the 18th of the preceding January forty men had deserted from his small garrison, including fourteen who had disappeared on the night of April 23d, taking with them a party of the country people. Hand added that he had detached four officers and forty men in pursuit. One of the forty deserters to whom Hand referred was Henry Butler, who arrived at Kaskasia on the Mississippi near the close of the preceding February. James Girty made his appearance at Detroit in August, 1778, and was at once appointed interpreter for the Shawnee. Nearly a year later George Girty came in. He had been a prisoner for twelve months at New Orleans, whence he had journeyed by a long and arduous path through the Indian country. He also was made an interpreter in the Indian Department at Detroit.⁵

The numerous flights from Pittsburgh and its vicinity since the days of Dunmore's War had removed those Loyalists best qualified to lead in regaining control of the upper Ohio for the Crown. Connolly, McKee, and the others had thenceforth to labor under the great disadvantage of forming their plots and attempting their expeditions at long range against a foe that was familiar with their purposes and methods, and that was ever alert to thwart them. There was still, however, a considerable body of Tories on the upper Ohio, despite the desertions of March and April, 1778, from Fort Pitt. With the spread of the rumor in the early part of 1779 that the Loyalists and Indians at Detroit were preparing to penetrate to Pittsburgh, Hugh Kelly of Maryland betook himself to the neighboring Red Stone settlement and enlisted 175 men; while his associate, James Fleming of Frederick County, Va., raised 75 recruits at Kittanning. According to the formal statement that was submitted by Fleming and Kelly to the authorities in London toward the end of the Revolution, the work of organizing the Loyalists was extended by them into the adjacent portions of Maryland and Virginia, through the agency of Adam Graves,

⁴ Thwaites and Kellogg, *Frontier Defense on the Upper Ohio*, 249-255, 260, n. 14; *Heckewelder's Narrative*, 182; Thwaites and Kellogg, *Rev. on the Upper Ohio*, 74, 75; *Sec. Rep., Bur. of Archives, Ont.*, (1904), Pt. II, 985, 987, 988, 1082, 1282.

⁵ Thwaites and Kellogg, *Frontier Defense on the Upper Ohio*, 247, 278, 279, 286, 284, n., 98; *Sec. Rep., Bur. of Archives*, (1904), Pt. II, 988, 1284.

John George Graves, and Nicholas Andrews, all of Maryland, with the result that up to June, 1781, nearly 1,300 volunteers were bound by oath to serve at call in a corps which they proposed to name the Maryland Royal Retaliators. Curiously enough, our informants nowhere intimate that they had received commissions authorizing them to embody these men; and since the enlistment of the proposed corps never got beyond the provisional stage—according to their own admission—we can find no record of it in the Muster Rolls of the Loyalist, or Provincial, Regiments. According to the plan of campaign, as developed by the summer of 1781, General Johnson was to operate with a large force in the neighborhood of Pittsburgh, and Colonel Connolly was to return from the region north of the James River and assist Johnson. Large numbers of British prisoners confined in Winchester, Strasburg, Leesburg, Sharpsburg, Fort Frederick, and Fredericktown, Va., were to be released; the Tories of Somerset and Worcester counties on the Eastern Shore of Maryland were to be aided, should their petition meet with favor, by an expedition to be sent by General Leslie from Portsmouth, Va., to the Chesapeake, and the sea coast was to be molested by the privateers of the Associated Loyalists sent out from New York.

This extended plan, as it happened, broke down at two points: the appeal of the Eastern Shore Tories to General Leslie was intercepted; and the papers revealing the project and names of the Loyalist leaders of Frederick County were delivered by mistake to an American officer in Fredericktown, with the result—according to Kelly and Fleming's account—that 170 of their associates were at once arrested. Of these, Adam and John George Graves, Nicholas Andrews, and four others were tried before a special court, July 25, 1781, and found guilty of high treason. Three of the seven were executed at Fredericktown; Andrews, the two Graves brothers, and Fleming managed in some manner to escape to Cornwallis at Yorktown, whence they were fortunate enough to find their way to New York after the surrender, which occurred on October 19, 1781. At New York they found Kelly, who had preceded them thither. Meanwhile, the General Court at Annapolis rendered the judgment of outlawry against about 100 leading Loyalists, some of whom were from Baltimore County, and at later periods against about 80 others from various localities in

Maryland, including Frederick, Charles, Kent, Montgomery, Somerset, and Worcester counties.*

With the exception of several of the leaders, it is impossible to trace the fugitives from the upper Ohio to the localities where they settled after the return of peace. Hugh Kelly was in Halifax in December, 1785, where he made representations of his losses before one of the British Commissioners on Loyalist Claims; and it is probable that one or more of his intimates and some of his followers were also in Nova Scotia. Alexander McKee, Simon Girty, and a few of the Loyalists who had taken refuge at Fort Detroit secured deeds from the Ottawa Indians to Colchester and Gosfield townships on the shore of Lake Erie east of the Detroit River, and opened them to settlement. The transfer of "The Two Connected Townships" thus effected was irregular, and had to be rectified by a reconveyance of the districts from the Indians to the Canadian Government. In 1788 the two townships were laid out in one hundred and nine lots, and during the next five years the settlers who had previously entered the tract were confirmed in the possession of their properties. Thus, arose "The New Settlement," which began about five miles east of the Detroit River and extended for a distance three times as great along the lake front to the eastward. Some of those who drew lots in the two townships did not locate there, going instead to the River Thames, where the soil was of a better quality; while others, to the number of a hundred or more, became discouraged on account of the long delays in obtaining provisions and tools from the government, and returned to the United States. The region next to the Detroit River remained for a time unsettled, partly because of its marshy character and partly on account of doubtful claims. In January, 1793, however, John Graves Simcoe, formerly colonel of the Queen's Rangers, one of the Loyalist Corps, and now lieutenant governor of Ontario, took action, along with his council, by which this tract was constituted the township of Malden and was granted to Alexander McKee, Matthew Elliott, and Captain William Caldwell. The settlers who had already made improvements in the new township were secured in their holdings at the same time.

* *Rep. on Am. Mss. in Roy. Inst. of Gt. Brit.*, III, 6, 46, 47; I, 20; IV, 241; *Sec. Rep., Bur. of Archives, Ont.*, (1904), Pt. I, 55, 56; Scharf, *Hist. of Md.*, II, 366-368; Siebert, "The Tories of the Upper Ohio" in *Bien. Rep., Archives and Hist., W. Va.*, (1911-1914), 45, 46.

Captain Caldwell, it may be added, was one of Colonel John Butler's Rangers from Fort Niagara.'

¹ *Sec. Rep., Bur. of Archives, Ont.* (1904), Pt. I, 55; *Third Rep., Bur. of Archives, Ont.* (1905), 222, 223; Siebert, "The Dispersion of the American Tories," in the *Miss. Valley Hist. Rev.*, I, 189, 190.

CHAPTER II

THE LOYALISTS OF NORTHEASTERN PENNSYLVANIA

There was a considerable Loyalist element among the early settlers on the upper Delaware and upper Susquehanna rivers in northeastern Pennsylvania. This was especially true of the Germans of the Susquehanna, among whom the proportion of Loyalists was larger, so far as our scanty evidence indicates, than among their neighbors of the English and Irish nationalities. Various things suggest that the strife between the Whigs and Tories of Tryon County, New York, which centered at Johnstown in the lower Mohawk Valley and resulted in the flight of the Johnsons to Canada in August, 1775, was not without effect beyond the southern boundary of the Province. One of the refugees from Johnstown was John Butler, who was sent by the Canadian authorities to Fort Niagara in the following November. Other Loyalists also made their way to this British outpost, including John Depue, who arrived during the winter of 1776-77, bringing letters from seventy of his neighbors on the Susquehanna proposing to enlist as rangers under Butler's command. This seems to have been the first suggestion of the formation of a corps of armed frontiersmen and raiders at Niagara; although it was not the first time that Butler had held communication with these persons, for he had already invited them to come to the fort. Among the earliest of the group to enter the ranks of the new regiment were Depue himself, Frederick Auger and his two sons, and Hendrick Windron. Mr. Windron relates that he was accompanied on his journey from the Susquehanna to Niagara by his wife and children and several other families of Loyalists.¹

In the spring of 1777, not long after the Pennsylvania Assembly had passed an act defining treason and misprision of treason, Philip Bender and the Loyalists of his settlement made the long and arduous journey of several hundred miles to Fort Niagara. Others who testify that they went in the same year are

¹ Siebert, "The Loyalists and Six Nation Indians in the Niagara Peninsula" in *Trans. Roy. Soc. Can.*, IX (1915), 30, 81, and references there given.

William Pickard and his two sons, Casper Hover and his three sons, Abraham Wartman, Conrad Sills, Henry Lyman, William Vanderlip, and George Kentner, all of whom enlisted in the Rangers. It is very probable that some of these were members of the party with which Philip Bender went, and that the fathers of families were accompanied not merely by their older sons but also by their wives and younger children. We learn of but one recruit from the Susquehanna in St. Leger's expedition, namely, Philip Buck, who joined it at Fort Stanwix, although there may have been others. In 1778 the movement to Niagara continued with the flight of John Wintermute, Thomas Millard and his three sons, Edward Turner and his father, evidently with other families, and Michael Thomas.

This exodus from the Susquehanna country had not been left to run its own course, but had been stimulated by the recruiting operations of Depue and the Mohawk chieftain, Joseph Brant, after the defeat of St. Leger. These activities are explained by the fact that Butler did not receive permission to organize his corps until after the catastrophe at Fort Stanwix. They were not confined, however, to the upper Susquehanna, nor to the autumn of 1777; for early in the following year Brant invaded the valley of the upper Delaware and gathered in sixty or seventy of the inhabitants of that region, while at the time of his descent on Wyoming in the following summer, Butler gained an accession of forty more Delaware Valley Loyalists. From the fort at Wyoming he released a party of adherents of the Crown, which took the Indian trail through the forest to Oswego, and, embarking thence in row boats, reached Niagara after spending nine days on the waters of Lake Ontario. Doubtless, the other refugees pursued much the same route, or accompanied their rescuers on the march back to Fort Niagara. By 1779 the Tory population of the upper Susquehanna appears to have largely vanished, for we have the record of only one flight from this region in the year just named, that of Isaac Dobson. As Dobson had been imprisoned, he was prevented from leaving earlier.²

Numbers of these Loyalists from northeastern Pennsylvania enlisted in the Rangers, as we have observed above; and not a few of them served under Colonel Butler throughout the Revolutionary

² Siebert, "The Loyalists and Six Nation Indians in the Niagara Peninsula" in *Trans. Roy. Soc. Can.*, IX (1915), 82-86, and references there given.

War. Probably most of them received grants of land in the Niagara Peninsula at the close of the contest, as did the men of Butler's corps in general and the warriors of the Six Nations, who had made Fort Niagara their base of operations since the fall of 1777. A few of the Pennsylvanians, however, soon drifted to other localities; and individuals among them were to be found living a few years after the war at Fort Erie, at Detroit, on the Bay of Quinté, in the Fourth and Fifth townships on the north side of the St. Lawrence River, and at Montreal. In 1787 John Depue was a resident at Fort Erie.^a

^a *Sec. Rep., Bur. of Archives, Ont.*, (1904), Pt. I, 231, 480; Pt. II, 963, 968, 976, 978, 974, 975, 981, 984, 990, 997, 1001, 1003, 1262, 1263; *Trans. Roy. Soc. Can.*, IX (1915), 95, 2., 117, 2.

CHAPTER III

THE REPRESSION OF THE LOYALISTS AND NEUTRALS IN SOUTHEASTERN PENNSYLVANIA

In the early months of 1775 the division of sentiment in Pennsylvania over the question of resistance to the Crown was already manifest. The Convention of provincial delegates, which was then in session, approved of open resistance; and Philadelphians suspected of loyal proclivities were being silenced or driven out almost daily by means of advertisements, handbills, or personal warnings which, if unheeded, were followed in extreme cases by the application of tar and feathers. At the same time, the Meeting for Sufferings of Pennsylvania and New Jersey Quakers issued a testimony against usurpation of authority and against insurrections, conspiracies, and illegal assemblies, this last expression being obviously intended to include the provincial conventions and the Continental Congress itself. It would be a mistake, however, to suppose that the Meeting for Sufferings voiced the convictions of all members of the dominant sect in Pennsylvania; for many of them quietly gave financial support to the Revolution, and some deviated from the principle of non-resistance to the extent of joining the association for defending with arms the lives, liberty, and property of the people, entering military organizations, and signing the test that was later prescribed by Congress and the State.¹

The news from Lexington, which was received in Philadelphia five days after the battle, seems to have produced a marked effect upon the "Tory class" there, according to the *Diary or Remembrancer* of Christopher Marshall, a Quaker patriot of the city, who noted on May 7 that "Their language is quite softened, and many of them have so far renounced their former sentiments as that they have taken up arms, and are joined in the association; nay even many of the stiff Quakers, and some of those who drew up the Testimony are ashamed of their proceedings." It was, indeed, soon after this that a number of young Friends formed a company of light infantry in the American interest, which was

¹ Scharf and Westcott, *Hist of Phila.*, I, 293, 294, 296, n. 1.

under the command of Sheriff Joseph Cowperthwait, and was called the "Quaker Blues." Not inconsistent with Marshall's statement regarding the changed conduct of the Philadelphia Loyalists were the observations of Judge Samuel Curwen, a fugitive Tory from Salem, Mass., who spent the week of May 5-12 in the Quaker City. In his search for lodgings, Curwen became convinced that the place was pervaded with "congressional principles" to such a degree that no man there dared express a doubt concerning the feasibility of the projects of Congress, and that the inhabitants were displeased with New Englanders for making the town their haven of refuge. These views and the advice of his friend Judge Joseph Lee, a lukewarm Tory of Cambridge, Mass., who was leading the life of a recluse in Philadelphia, induced Mr. Curwen to re-embark, this time for London, Eng., where he arrived on July 3.²

Meantime, in keeping with the suggestion of Benjamin Franklin, a Committee of Safety supplanted the Committee of Correspondence on June 30, being given discretionary powers by the Pennsylvania Assembly. In employing these powers it dealt more severely with suspected and inimical persons than its predecessor had done. The new committee required well-known or self-acknowledged Loyalists, like Amos Wickersham, Mordecai Levy, John Bergen, and Thomas Loosley, to confess and recant their errors; and it was soon ordered by Congress to prevent the departure of all persons who were likely to do injury to the American cause. On August 12, the committee compelled Terence McDermot, "a volunteer" in the King's army, and two officers, who were on their way to join the British forces in Boston, to sign an agreement not to bear arms against the United Colonies for one year or until exchanged; after which they were conveyed to Washington's camp at Cambridge, Mass. Isaac Hunt, who was defending a suit for the replevin of some forbidden goods for the avowed Loyalist, William Conn, was summoned before the Committee of Inspection; but on refusing to discontinue the suit or apologize, he was carted through the streets behind a drum and fife playing the Rogue's March. The procession stopped before the home of Dr. John Kearsley, Jr., an uncompromising Tory, who became so furious at the spectacle that he snapped his pistol at the crowd. Mr. Hunt

² Scharf and Westcott, *Hist. of Phila.*, I, 300, 301; Duane, ed., *Extracts from the Diary of Christopher Marshall*; Sargent, ed., *Loyal Verses of Joe. Stanbury and Dr. Jonathan Odell*, 123; Curwin, *Journal and Letters*, 25-30, 487.

appears to have seized this opportunity to ask the pardon of his persecutors, who released him and mounted Kearsley upon the cart in his place. Hunt soon after fled to England; and although his substitute was let go without an apology, which he refused to give, he was apprehended, together with several others, early in October, on the evidence of certain intercepted letters, which showed that he was endeavoring to bring about an invasion of Pennsylvania by the British troops, besides engaging in other inimical practices. After trial by the Committee of Safety Kearsley was sent to York as a prisoner and died there during the war. The largest group of Loyalists that the committee ordered imprisoned during this year was brought in at the end of October from the New Jersey shore. It comprised Captain Duncan Campbell, Lieutenant James S. Symes, and twenty-three privates of the Royal Highland Emigrants, a corps but recently formed, who were stranded while on their voyage from Boston to New York, were captured, and brought before the committee in Philadelphia. They were incarcerated in the jail and workhouse, the first prisoners of war to be confined in the Quaker City during the Revolution.*

Regardless of the suspicions already existing, and certain to be increased, concerning their neutrality, the Quakers, Menonists, and Dunkards or German Baptists, who enjoyed certain exemptions at the hands of Congress, memorialized the Pennsylvania Assembly at this time in opposition to the general order for the enrollment of the militia. Thereupon, the Committee of Safety marched to the State House, carrying a remonstrance against the Quaker address, which was declared to present an aspect unfriendly to the liberties of America and destructive of society and government. The remonstrance further alleged that "these gentlemen want to withdraw their persons and their fortunes from the service of the country at a time when their country stands most in need of them." The association also sent in a remonstrance, denouncing leniency to the lukewarm as nothing less than a fatal mistake. At length, in November, the Assembly went on record by making defensive service compulsory and "taxing all non-associators £2 10s above the regular assessment." This action, along with other developments of the time, only served to embolden the

* *Colon. Records of Pa.*, X, 280, 302, 342, 343, 359, 360, 367, 372, 373, 380, 385, 386, 410; Raymond, ed., *Winslow Papers*, 42, n.; *Rep. on Am. Mss. in the Roy. Inst. of G. Brit.*, II, 79; Scharf and Westcott, *Hist. of Phila.*, I, 295, 303.

Quakers, for their Yearly Meeting published a testimony, which was adopted January 20, 1776, advising the members of the society to stand firm in their allegiance and unite against every design of independence. Not content with testimonies and memorials, Quaker merchants and traders, as well as a few others, were in some instances required to apologize for breaches of the regulations established by the Committee of Inspection relating to the admission and prices of commodities, especially of foodstuffs; while in other instances they were denounced as enemies and excluded from all trade or intercourse with the other inhabitants, because they refused to accept Continental currency.⁴

Besides these local offenders who were dealt with by the two committees, there were others from distant parts of the Province or from other Colonies who had been captured and sent to Congress for adequate punishment, and were handed over by that body to the Committee of Safety for examination and sentence or for incarceration, as the case might be. Of such were some of the Tory prisoners who were transferred from the old prison to the new one in Philadelphia in January, 1776, including the notorious Dr. John Connolly and his two confederates, Dr. John Ferdinand Dalziel Smyth of Maryland and Allen Cameron of the Cherokee country, besides Colonel Moses Kirkland of South Carolina, who had been taken on his voyage to Boston; General Donald McDonald, chief of the North Carolina Tories; Colonel Allen McDonald, and "twenty-five more of their set." In the following May, Colonel Kirkland was enabled to escape by the aid of several local Loyalists, including Arthur Thomas and his sons, who were constrained to flee when a mob attacked their house. Mr. Thomas tells us that he avoided seizure by taking his departure in the night, that he remained in concealment for several weeks, but was caught in July and imprisoned. He also says that he succeeded in getting away to New York in the following September. A year later, however, Mr. Thomas returned to Philadelphia, on learning that the British army had taken possession of the city. Arthur Thomas, Jr., was also caught and imprisoned. Besides the Thomases, other Tories, either singly or in small groups, were brought before the Committee of Safety during the year 1776, thirty-three of these being secured in New York in October.⁵

⁴ Schaw and Westcott, *Hist of Phila.*, I, 302, 305.

⁵ *Ibid.*, 108, 326; *2d Rep., Bur. of Archives, Ont.* (1904), Pt. I, 613; *Colon. Records of Pa.*, X, 461, 466, 49, 470, 472, 477, 485, 502, 616, 618, 638, 661, 662, 676, 731, 756, 773.

Meanwhile, the outspoken Loylists of other communities in the State were being looked after by their local committees of safety. Thus, for example, on July 21, 1775, John Huff, Thomas Meredith, and Thomas Smith were reported to the committee of Bucks County as having uttered expressions derogatory to the American cause. Huff at once appeared before the committee, acknowledged the charge, and made such concessions as were deemed a sufficient atonement. The accusations against the other two men were referred to a sub-committee for investigation, and on August 21, Meredith's written apology was read, accepted, and ordered published. In it the writer not only repented of what he had done, but also "voluntarily" renounced his former principles and promised henceforth to render his conduct unexceptionable to his countrymen by strictly adhering to the measures of Congress. Thomas Smith of Upper Makefield was much less submissive than his offending brethren. At first he denied most of what was alleged against him; but the committee, refusing to be satisfied with this, proceeded to examine several witnesses, as well as the defendant himself, and then ordered the statement published that Mr. Smith had declared in substance, "That the Measures of Congress had already enslaved America and done more Damage than all the Acts of Parliament ever intended to lay upon us, that the whole was nothing but a scheme of a parcel of hot-headed Presbyterians and that he believed the Devil was at the bottom of the whole; that the taking up Arms was the most scandalous thing a man could be guilty of and more heinous than an hundred of the grossest offences against the moral law, etc., etc., etc." Together with these opinions of the accused, the committee's sentence was also to be published, namely, that "the said Thomas Smith be considered as an Enemy of the Rights of British America, and that all persons break off every kind of dealing with him until he shall make proper satisfaction to this Committee for his conduct." Before this case appeared in the press, Thomas Smith expressed his penitence and remorse and presented a satisfactory recantation in writing to the committee. Other instances, in which, however, submission was always promptly made, are scattered through the minutes of the committee until July, 1776. From the first of that month until the 12th of August, when the records come to an abrupt conclusion, the last four meetings of the committee dealt with a few offences committed by Loylists against the resolutions passed by the As-

sembly early in the preceding April, which provided for the disarming of disaffected persons and non-associators and the supplying of the confiscated arms to such Continental troops as should be raised in the Colony.⁶

Towards the end of April, 1776, the election for members of the General Assembly was held. The result of the canvass in Philadelphia, which had been preceded by much excitement, was of especial significance. By a combination of the local Tories and Moderates, or as Christopher Marshall summed up the elements of the coalition, "the Quakers, papists, church, Allen family, with all the proprietary party," the Whigs were beaten. In reality, however, as was soon to appear, the Tories and their friends had overreached themselves. The patriots were now more than ever determined to overthrow the charter and the proprietary government, and to establish in its place a government founded on majority rule. Independence was already recognized by the opposing parties to be the definite object of the war.⁷

With the development of these conditions in Philadelphia, some of the influential conservatives turned from public affairs in the city in order to seek retirement in outlying villages. Others of no political prominence, but whose minds were equally filled with fears, removed with their families to places that promised greater personal security than did the capital. Thus, early in May, 1776, Thomas Bartow, a merchant of Philadelphia, took his wife and five children to Bethlehem, where he made his home for the next three years. Of the four sons of Chief Justice William Allen—brothers-in-law of Governor John Penn—James withdrew with his small family to Allentown in Northampton County, June 16; John and his family went about the same time to Union Iron Works in Hunterdon County, N. J.; Andrew retired soon after to his place at Neshaminy, and William, returning from Ticonderoga shortly after the Declaration of Independence, resigned his commission as lieutenant-colonel of militia.⁸

But most of the Tory residents continued in Philadelphia and, as they had held their political meetings before the election, so now they held congratulatory and convivial sessions. At the end of May, the Committee of Safety received confidential information

⁶ *Pa. Mag. of Hist. and Biog.*, XV, 263, 265-270, 273, 275, 277, 279-281, 283, 285, 286, 289, 290.

⁷ Scharf and Westcott, *Hist. of Phila.*, I, 311.

⁸ *Pa. Mag. of Hist. and Biog.*, Jan., 1889, 388; July, 1885, 187, 190 191; *Am. Arch.*, 5th Ser., III, 1230, 1231, 1377, 1397, 1434.

according to Marshall's *Diary*, of not less than four different Tory clubs that were meeting frequently, one at the Widow Ball's in Lombard Street, another at the sign of the Pennsylvania Farmer, the third at Jones's beer house on the dock, and the fourth at the sign of the King's Arms. The impartation of this piece of information led to the immediate appointment of a Committee of Secrecy, including Mr. Marshall and seven others, to examine all inimical and suspected persons of whom the committee might learn. The labors of the new committee resulted in a number of arrests and imprisonments, among those committed being James Prescott, William Smith, Joseph Stansbury (the Tory poet), David Shoemaker, and others.⁹

Early in June, 1776, the Committee of Inspection was engaged in correspondence with the local committees of safety for the purpose of having them send some of their members to the Provincial Conference, which was to meet in Philadelphia on the 18th to arrange for the election of members to a Constitutional Convention. On July 8 this election was held, and later in the same month the Convention met to frame a constitution for Pennsylvania. Under the guiding hand of its president, Benjamin Franklin, the Convention supplanted the General Assembly, which finally passed out of existence on September 26. On July 19 it passed an ordinance requiring the commanding officers of the militia to appraise and take over such arms as the non-associators in their respective districts had failed to deliver up according to the earlier resolutions of Congress and the Provincial Assembly, and to arm the associators with the weapons thus secured. During the early days of September the Convention passed two ordinances that were intended to limit the dangerous activities of the Loyalists. The first of these declared that every person owing allegiance to the State who, after the publication of the present decree, should levy war against the Commonwealth or give aid to the enemy, either within the State or elsewhere, and be convicted thereof, should be adjudged guilty of high treason and should forfeit his lands, tenements, goods, and chattels, besides being imprisoned for any term not exceeding the duration of the war. The second ordinance provided that any person within the State, who should endeavor by writing or speaking to obstruct the measures of the United States

⁹ Sargent, ed., *Loyal Verses of Jos. Stansbury and Dr. Jonathan Odell*, 117, 122; Duane, ed., *Extracts from the Diary of Christopher Marshall*, 80, 81.

in defense of freedom, should, on the production of proper proof, give security for his good behavior, or stand committed until the security was forthcoming, or he was otherwise legally discharged. If, however, the offender was considered to be too dangerous for release by bail, the justice was to associate with himself two other justices of the neighborhood, and they together were to fix the term of imprisonment, provided it did not extend beyond the end of the war. The Convention also deposed Governor John Penn, and ignored the proprietary government. Meanwhile, it had elected a Council of Safety on July 22, thus dissolving the Committee of Safety; but it did not disturb the Committee of Inspection for the present. The Council of Safety continued to exercise its functions until March 4, 1777, when the Supreme Executive Council, which was provided for in the constitution, assumed control.¹⁰

There was, then, to be no respite for the Tories and suspected persons in Pennsylvania; and in truth the Tories did not conduct themselves in such a way, after the adoption of the Declaration of Independence by Congress, as to conciliate the revolutionary party. They exposed themselves to the danger of arrest, and were incarcerated daily. Furthermore, their position was made the more difficult by the action of the new Assembly, which proceeded on February 11, 1777, to supply somewhat fuller definitions of treason and misprision of treason than the Constitutional Convention had done in the preceding September. In the middle of July numbers of Whig associators were sent into New Jersey to help defend that region against the anticipated British invasion. It was not, however, until the beginning of November that Howe began his march into the Jerseys, signalizing the event by a proclamation of amnesty to individuals, which he repeated at Trenton on November 30. These proclamations, with the gloomy outlook for the American cause, are said to have induced some 3,000 Jersey farmers to swear allegiance to the Crown; but their effect reached beyond the domain of the invaded Province. Thus, for example, in October, Gilbert Hicks of Bucks County fled to Shrewsbury, N. J., and in the following month to Trenton; but after Rahl's defeat at the latter place, January 2, 1777, he took refuge among some Tory families, until it was safe for him to enter Philadelphia. Shortly after Rahl's defeat, the Council of Safety adopted a resolution de-

¹⁰ *Pa. Mag. of Hist. and Biog.*, XV, 279; *Statutes at Large of Pa.*, IX, 11-12, 18-19; *Laws of Pa.*, II, 144-147; Scharf and Westcott, *Hist. of Phila.*, I, 316, 322, 323.

claring that every person who was so devoid of honor, virtue, and love of his country as to refuse his assistance "at this time of eminent public danger" might be suspected of designs inimical to the freedom of America, and that where such designs were very apparent from the conduct of individuals, they ought to be confined during the absence of the militia. The officers of the State were directed to act accordingly, reserving appeals to the Council. It was the enforcement of this resolution that caused what James Allen called in his *Diary* a persecution of the Tories, when—to use his own words—"houses were broken open, people imprisoned without any color of authority by private persons, and as was said a list of 200 disaffected persons [was] made out, who were to be seized, and imprisoned and sent off to North Carolina." In this list the Allens were reported to be included. Under such an apprehension, Andrew and William joined their brother John at Union Iron Works, and the three brothers were not long in deciding to claim the protection of Howe's army at Trenton. Thence, they proceeded to New York City, leaving their families behind them. Many more influential citizens are said to have gone over to the enemy at this time. One of these was Joseph Galloway, the talented, wealthy, and prominent lawyer of Philadelphia who, after being visited by mobs that threatened him with a coat of tar and feathers and even with hanging, loaded some valuables into a wagon, quitted his country home at Trevoise, and in company with several other notable Loyalists, made his way to the British camp at New Brunswick, N. J. James Allen, who had been bringing suspicion on himself by entertaining British officers at Allentown and in other ways, was arrested on December 19 by an armed guard, which took him before the Council of Safety at Philadelphia, where he pledged his honor "not to say or do anything injurious to the Cause of America." After remaining in and about the city for several days and noting that the place "seemed almost deserted and resembled a Sunday in service time," he returned to Allentown. The cause of this deserted appearance in the town was, of course, the fear that Howe would cross the Delaware and take possession of Philadelphia. About the only people who had not surrendered to the intense excitement of the hour and driven away with their household goods in such vehicles as could be had to places of refuge were some of the Tories and the Quakers. In the latter part of December, the Society of Friends had indeed issued their usual testimony urging

the faithful to exercise a patient spirit and Christian fortitude in refusing to submit "to the arbitrary injunctions and ordinances of men who assume to themselves the power of compelling others, either in person or by assistance, to aid in carrying on war."¹¹

The imprisonment of Joseph Stansbury and others of his fellow-townsmen at the instigation of the Committee of Secrecy had occurred under such circumstances that the Council of Safety appointed a committee of its own members to inquire into the causes of their commitment, with a view to determining the justice of discharging them in case they would declare their allegiance to the State in writing. This action does not seem to have resulted in the immediate release of those concerned.

Meantime, there had been much desertion among the militia, and when many of the principal men in Colonel Hunter's battalion of Berks County refused going to join Washington's army in January, 1777, the Council ordered the colonel to send the ringleaders among the disaffected to Philadelphia for discipline. That there was also widespread disaffection among the Philadelphians themselves appears from various sources, personal and official. James Allen says that Congress itself complained of this disloyalty, although, as he remarks, the people of the city had been favored with most of its official appointments and with its presence from the beginning. A notable instance of the thing complained of came to light in the early spring of 1777 through the detection of James Molesworth's attempt to bribe pilots to navigate Lord Howe's vessels from New York to Philadelphia. Molesworth, who had been for several years clerk to the mayor of the city, turned out to be a British spy and was hanged on the common on March 31. Five others, who were implicated in this business, made their escape. Others suspected persons and Tories were severely dealt with, among these being Major Richard V. Stockton of the New Jersey Volunteers, "the famous land pilot" to the King's troops, who had been surprised and taken prisoner on February 18, with about three score privates, all of whom were sent to Philadelphia for confinement. Several Delaware Tories, however, were released on giving security.¹²

¹¹ *Statutes at Large of Pa.*, IX, 45-47; Scharf and Westcott, *Hist. of Phila.*, I, 326, 329, 335; *Colon. Records of Pa.*, XI, 38, 42, 94; *Pa. Mag. of Hist. and Biog.*, July, 1885, 193-195; Oct., 1885, 280, 282, 286, 287; Dec., 1902, 432, 433; *2d Rep., Bur. of Archives, Ont.* (1904), Pt. I, 94; *Am. Arch.* 5th Ser., III, 1434.

¹² Scharf and Westcott, *Hist. of Phila.*, I, 339; Sabine, *Loyalists of the Am. Rev.*, II, 335.

The difficulty of finding quarters for the new levies continually pouring into Philadelphia after the battles of Trenton and Princeton led to an order billeting them on the non-associators, greatly to the dismay of the local Tories. Another measure that proved more generally disturbing to this class of people was the militia bill passed by the Assembly, June 13, 1777, for the purpose of providing troops in place of the associators. It required all white male inhabitants of the State above the age of eighteen years, except those in the extreme western counties, to take the oath of allegiance to Pennsylvania before July 1, 1777, to promise to do nothing to the prejudice of independence, and to expose all conspiracies and treasons that might come within their knowledge. Persons failing to take this oath were declared to be incapable of holding office, serving on juries, suing for debts, transferring real estate, and were liable to be disarmed by the county lieutenants and their deputies, as also to be arrested if traveling outside of their respective cities or counties without a pass.¹³ James Allen reports that but few of his neighbors in the County of Northampton subscribed to the oath of allegiance and that they seldom ventured from home because they ran "a risk of being stopt." Some of the leading men of the Moravian congregation at Bethlehem in this county were Tories. Thus, the Reverend George Kribel was compelled to serve a brief term in Easton jail in August, because he refused to abjure the King according to the specific requirements of the militia bill; and John Francis Oberlin was required to resign the custody of the church store after serving as its keeper for many years, because he hotly remarked that he "had sufficient rope in his store to hang all Congress." At the time of the active search for Loyalists in the preceding December, word was brought to Bethlehem that the place had been represented to the American army as a nest of Tories and that General Lee had boasted that "in a few hours he would make an end of Bethlehem." However, the Moravians explained their own position in a petition to Congress declaring that since the outbreak of the conflict they had been continually disturbed for not associating in the use of arms, or acting against their principles in regard to war. They complained that some of them had been imprisoned on account of the test contained in the law of April 1st, that all their able-bodied men above the military age had been heavily fined, and that they found them-

¹³ *Statutes at Large of Pa.*, IX, 110-114.

selves subject to outlawry and exile without any inquiry into their behavior, although they regarded themselves as accountable to the magistrates. They insisted that they willingly helped to bear the public burdens and that they were ready to furnish reasonable assurance that they would not act against Pennsylvania or any other State, but that they humbly thought themselves entitled to the privileges which had brought them to America, notwithstanding the change in the form of government. These privileges they had not forfeited by any word or act against the new government, they said. At the same time, if the test was to be applied, they must be ruined and their creditors wronged, for it was contrary to their conscience to take the prescribed oath. They would with the help of God act honestly, not fearing the consequences. It may be remarked that as the Moravians had suffered under the militia law of April 1st, they viewed with dismay the enactment of a supplementary measure by the Assembly on June 13, prescribing a new test of allegiance, a measure justified in the eyes of the patriots by the renewed prospect of Howe's advance against Philadelphia. The law of June 13, while it re-enacted most of the provisions of that of the preceding 1st of April, required justices of the peace as the administering officers of the new oath of abjuration of the King and of allegiance to Pennsylvania as an independent State to transmit to the recorders of thier respective counties by October 1 of each year the names of those sworn during the preceding twelve months. Every person above the age of eighteen years who traveled out of the county or city in which he usually resided was to carry a certificate of his allegiance, or be liable to arrest on suspicion and to examination by the nearest justice, who was to tender the oath, which the suspect must take or suffer imprisonment until he would consent to subscribe. The law said that this clause was necessary, in order to prevent the dissemination of discord by persons traveling from one locality to another, and because "this state is already become (and likely to be more so) an asylum for refugees flying from the just resentment of their fellow citizens in other states." It therefore required all newcomers from other Commonwealths to apply at once to the nearest justice for the administering of the oath under the same penalty as was provided in the case of those going from place to place within the State.¹⁴ It was doubtless on

¹⁴ *Pa. Mag. of Hist. and Biog.*, Oct., 1885, 287; Scharf and Westcott, *Hist. of Phila.*, I, 341; Jan., 1889, 401, 395, 385, 386; *Laws of Pa.*, II, 154; *Statutes at Large of Pa.*, IX, 110-114.

account of these laws that 160 recruits set out from the city for Staten Island to join the New Jersey Volunteers, a Loyalist corps under the command of Brigadier General Cortlandt Skinner, which had its headquarters there. The party was intercepted, however, near Bawnbrook in the Jerseys, and 60 were taken, including Peter Snider and his brother Elias. The leaders, John Mea and James Stiff, were executed; and the others appear to have been imprisoned for longer or shorter periods, Elias being confined for eighteen months and Peter for six. The two brothers were released on condition that they would serve in the Continental army. Peter did so for three months and then, after hiding out for thirty days, escaped within the lines of Howe's army, now in possession of Philadelphia. Elias secured a furlough on account of sickness, spent a twelvemonth in the woods to avoid recapture, and finally pushed on to Staten Island.¹⁵

On Sunday, August 24, 1777, Washington at the head of the main body of the Continental army marched through Philadelphia on his way to Wilmington, Del., to meet the British. If, as has been asserted, it was the desire of the commander in chief to impress the Tories, Quakers, and other disaffected persons, he seems to have succeeded at least in part, for according to Allen's *Diary*, many of the townspeople now voluntarily swore allegiance to the new government. Nevertheless, according to Sub-lieutenant John Lacey, who later became a brigadier general in the American service, a formidable number of Tories still existed in the City and County of Philadelphia, as well as in his own County of Bucks. Lacey maintains that a radical change took place in the political sentiments of his neighbors and acquaintances of Bucks after the affair at Trenton, that thereafter they began to manifest "a sullen, vindictive and malignant spirit" which led them to utter threats and menaces when in congenial company, to give secret information to the British, and to attempt dissuading the Whigs from enlisting in the American army and militia. He finds it difficult to decide which party was the more numerous in his county; and although he had been a Quaker himself, he charges that a great part of the disaffected made a plea of conscience in refusing to bear arms, thus affording a local preponderance in favor of the Revolution. Otherwise they did everything they could do, he insists, by encour-

¹⁵ 2d Rep., Bur. of Archives, Ont. (1904), Pt. I, 270.

aging the youth to join the British and by actually sending many of them into the ranks of the enemy.¹⁶

On August 25th, the day of the landing of the British at the head of Chesapeake Bay on their way to Philadelphia, Congress adopted two resolutions obviously intended as precautionary measures. One of these requested the executive authorities of Pennsylvania and Maryland to cause all notoriously disaffected persons within their respective States to be forthwith apprehended, disarmed, and secured, until they might be released without injury to the common cause. The other recommended to the Supreme Executive Council of Pennsylvania to have the houses of all inhabitants of Philadelphia searched for firearms, swords, and bayonets which, if found, should be paid for at an appraised value and turned over to any of the State militia needing them. Three days after the adoption of these resolutions, Congress, finding symptoms of disaffection among the Quakers of Philadelphia and fearing communication with the enemy and other injurious acts by the disaffected ones, earnestly recommended to the Supreme Executive Council to secure Joshua Fisher and his two sons, Thomas and Samuel, Abel and John James, Israel and James Pember-ton, Henry Drinker, Samuel Pleasants, and Thomas Wharton, Sr. The Council at once responded to these measures by directing the commanding officer of each regiment of the city militia to appoint searching parties for the various wards, and by asking the assistance of David Rittenhouse, the treasurer of state, and three military officers in preparing a list of persons dangerous to the Commonwealth, with a view to their arrest and the seizure of any papers of a political nature in their possession, including the records of the Meeting of Sufferings of the Society of Friends, for transmission to Congress. The list, which was drawn up on August 31, contained the names of thirty-one individuals, besides those supplied by Congress. James Allen, who knew many of the designated persons intimately, characterized them as "principal Inhabitants of Philadelphia, chiefly Quakers"; and Robert Proud, the Tory school-master, who also enjoyed the friendship or acquaintance of many of the proscribed, said that they were "mostly Friends," several of whom were "Persons of the first Rank, For-

¹⁶ Scharf and Westcott, *Hist. of Phila.*, I, 348; *Pa. Mag. of Hist. and Biog.*, Oct., 1885, 286; Apr., 1902, 101, 104.

tune and Esteem, both in the City and in the Society." As he was writing to his brother, he added that he had had great reason to fear for his own safety, "having not only been obnoxious to the Incendiaries and Usurpers, but also particularly pointed out and threatened by them, more than many others," but that he had escaped molestation by living "in a very private and retired Way, even like a Person dead amidst the Confusions," and communing more with his books than with persons. Among those named in the list were the Reverend William Smith, D.D., provost of the college; the Reverend Thomas Coombs, rector of Christ Church; Samuel Shoemaker; William Drewitt Smith, druggist; Miers Fisher and John Hunt, lawyers; Joseph Fox, late barrack-master; Thomas Ashton, merchant, and Thomas Pike, dancing master.¹⁷

The committee, which had prepared this list, also named the persons who were to make the arrests. These persons were instructed to apprehend some of the proscribed at once, but to spare the others the mortification of arrest, if they would promise to remain in their homes subject to the order of the Council and would do nothing injurious to the United States. A fourth of the number gave the required promise and were released on parole; one had already taken the oath of allegiance, and another did so; the rest were imprisoned in the Masonic Lodge, as the jails were full, except two or three who could not be found. For some unknown reason, no returns were made in the cases of Joshua Fisher and Provost William Smith. Before any of the prisoners were sent into exile in Virginia, one of their number was released on bail, another was ordered to Connecticut, and a third gave his parole to return to New York. On September 11th, twenty-two finally set out under escort of the City Guard on their way to Winchester, where most of them remained until April 19, 1778, when they were released to return to their homes. However, two had died during the previous month, namely, Thomas Gilpin and John Hunt, and two others had made their escape. One of these was Thomas Pike, the dancing master, who was never heard of again, and the other was William Drewitt Smith, who "rode out to take the air," as his associates supposed, on December 8, 1777, but did not return, preferring to seek protection within the British lines at Philadelphia. Two others, namely, the Reverend Thomas Coombs and Phineas Bond,

¹⁷ *Colon. Records of Pa.*, XI, 264, 267, 279, 283, 284, 286-290, 295, 300, 309; Gilpin, *Exiles in Va.*; *Pa. Mag. of Hist. and Biog.*, Jan., 1910, 63.

had been earlier set free in order to embark at a Virginia port for the West Indies, the former being bound for the island of St. Eustatius.¹⁸

Although the proprietary government had been in abeyance ever since Franklin and the Provincial Convention had assumed control of affairs in the summer of 1776, the officials under the former dispensation had not been taken into custody; but on July 31, 1777, Congress passed a resolution that it was expedient that the late proprietary and Crown office-holders and all other disaffected persons in and near Philadelphia be arrested. This resolution, like the recent recommendations emanating from the same source for the seizure of Loyalists, was comprehensive in its scope. Nevertheless, the Supreme Executive Council set to work issuing warrants for the apprehension of Governor John Penn, Benjamin Chew, who had been a member of Penn's Council and chief justice; James Tilghman, also a member of the Provincial Council; Jared Ingersoll, judge of admiralty; Dr. George Drummond, custom-house officer, and other lesser officials. Penn and Chew were paroled to remain within six miles of their residences; Ingersoll was ordered sent to Winchester, Va., on parole; Tilghman was not to cross the Delaware or depart six miles from it, and the others were confined to their own houses or put in prison. But the Supreme Executive Council was anxious to be relieved of its responsibility for the safe-keeping of Chief Justice Chew and Governor Penn, and therefore requested Congress to remove the distinguished prisoners from the State. That body complied promptly, and a military escort conducted the deposed officials to Fredericksburg, Va. By October 1st, however, according to James Allen, they were transferred to Union Iron Works in New Jersey; and there Mr. Allen visited them early in February, 1778, receiving on the day after his arrival the news of the death at Philadelphia of his brother John, which had occurred on the second of the month.¹⁹

¹⁸ Gilpin, *Exiles in Va.*; Scharf and Westcott, *Hist. of Phila.*, I, 344, 345, 346.

¹⁹ *Pa. Mag. of Hist. and Biog.*, Oct., 1885, 288, 292; Jan. 1886, 443; Scharf and Westcott, *Hist. of Phila.*, I, 343, 345.

CHAPTER IV

THE BRITISH INVASION OF PENNSYLVANIA AUGUST 25, 1777, TO JUNE 18, 1778

Andrew and William, brothers of James Allen, were with Howe and his army of 17,000 men when they disembarked, August 25 and 26, 1777, at the head of the Elk River. So also was Joseph Galloway, who had come as adviser to the British commander in chief. The region in which the disembarkation was effected was full of Loyalists, and from the first Howe was supplied with ample intelligence. The presence of these troublesome foes did not escape the attention of Washington, for on August 27th, he mentioned them in a letter addressed from Wilmington to the president of Congress. Among the troops that accompanied Howe were two Tory organizations, the Queen's Rangers and a detachment of the Royal Guides and Pioneers, both of which, especially the former, were to receive many recruits from among the local inhabitants and refugees during the expedition. Indeed, Tories began to come in from the time of the landing, including Dr. John Watson of New Castle, Del., and Hugh McNeal from near Bedford, Pa. The latter has left an affidavit that he made his appearance after being imprisoned for aiding young men in their flight to the army. The British commander encouraged this movement by issuing a proclamation, August 31st, offering protection to such inhabitants as would present themselves and swear allegiance to the Crown within the next sixty days. Refugees continued to come in, although we have no means of knowing in what numbers. From a few individual testimonies we learn that among those who joined the royal force on its march northward were men from Chester County and from Philadelphia. Thus, Captain Alexander McDonald, a Philadelphian, came in with several Loyalists at Wilmington, and entered immediately—according to his own statement—on the task of raising recruits. Curtis Lewis of Chester County joined at Kennett Square, and probably then or soon after Gideon Vernon also

of Chester County, and Philip Marchington, a merchant of Philadelphia.¹

In the middle of September, the Supreme Executive Council received information that the public stores at York, Lancaster, Carlisle, and elsewhere had been destroyed, that men were to be levied in support of the royal cause, and that James Rankin of Manchester, William Willis of Newberry, John Ferree and Daniel Shelly of Lancaster County, and others were concerned in these hostile enterprises. Already Shelly was in custody; and as he offered to tell what he knew against his accomplices he was promised pardon, provided he would divulge enough to convict them. Nine others, who were being held on charges of disaffection, maintained their innocence, and were granted their release on the condition of appearing, if wanted, and abstaining from anything likely to injure the American cause.²

Congress and the Assembly stayed in Philadelphia until September 18th, when both bodies adjourned to meet in Lancaster. The Supreme Executive Council did not leave until the 23d of the same month. For several weeks, according to Robert Proud, the revolutionary party had been busy stripping the city of its church bells, supply of lead, and much else that might be useful to the enemy or to the Continental forces. About 4,000 head of cattle were collected from the meadows and from Hog Island by the committee entrusted with that duty and driven away, after which the meadow banks were cut and the pastures inundated. Blankets, clothing, and shoes were exacted from the citizens in spite of Tory protests; magazines and supplies were removed, and the money and papers of the loan office and the records of the State were carried to Easton.³

Meantime, the patriots and their families had followed the Council and the legislative bodies into retirement, leaving the Quakers and Loyalists behind. But not all of the patriots or Whigs had departed, as we learn from several sources. On September 25th, one day before Lord Cornwallis entered Philadelphia at the head of 1,500 British and Hessian Grenadiers, Mrs. Henry Drinker

¹ Scharf and Westcott, *Hist. of Phila.*, I, 347; *2d Rep., Bur. of Archives, Ont.* (1904), Pt. I, 258, 295, 494, 611; Pt. II, 900, 1162; *Washington Papers*, I, 178; *Am. Mss. in the Roy. Inst. of Gt. Brit.*, I, 132.

² *Colon. Records of Pa.*, XI, 307, 308.

³ Scharf and Westcott, *Hist. of Phila.*, I, 348, 349, 350; *Pa. Mag. of Hist. and Biog.*, Jan., 1910, 72.

wrote in her *Journal*: "Most of our warm people have gone off"; and Christopher Marshall tells us on what he considered reliable authority that on the same day four or five hundred Tories paraded out to Germantown (where the main army under General Howe first encamped) and, returning, "triumphed through the streets all night," sending to prison such persons as they regarded to be friends of the rebellious States, including "the parson, Jacob Duché." The number imprisoned amounted to "some hundreds," Mrs. Drinker records; although there were other Whigs remaining in the city who were not molested, probably through the friendship of Galloway and the Allens. These refugees from Philadelphia, together with other citizens of the town, arrived with Cornwallis "to the great relief of the inhabitants" who, Robert Morton's *Diary* avers, had "too long suffered the yoke of arbitrary power," and who testified their approbation of the coming of the troops "by loudest acclamations of joy." Whatever the joy of some may have been, there were numerous others whose feelings impelled them to withdraw from the city even after its occupation. On October 1, James Allen observed that some of the inhabitants of Philadelphia were coming up to settle at Allentown and that the road from Easton to Reading was then "the most travelled in America." ⁴

That Howe profited by the assistance of local Tories in the course of his advance from the head of the Elk to Germantown can scarcely be doubted. Thus, in the early hours of September 21, when he was ready to cross the Schuylkill while General Anthony Wayne with 1,500 men and four guns was bivouacking in his rear, with a view to detaining him until help should arrive, it was the intelligence brought in by Loyalists that enabled the British commander in chief to surprise and cut off Wayne's men and so cross over without interruption. With the encamping of the invading host at Germantown and Philadelphia a few days later, both places became centers of attraction for adherents of the Crown from the surrounding region, and also from remoter parts of the country. On September 28th Howe issued a proclamation from his headquarters at Germantown, promising protection and security to all coming in and conducting themselves in accordance with his proclamation of a month earlier. Then, on October 8th, he announced

⁴ *Pa. Mag. of Hist. and Biog.*, Oct., 1889, 298; Oct., 1885, 298, 294; Duane, ed., *Extracts from the Diary of Christopher Marshall*, 132; Sargent, ed., *Loyal Verses of Joseph Stansbury and Dr. Jonathan Odell*, 140; Scharf and Westcott, *Hist. of Phila.*, I, 850.

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free pardon to all deserters who would voluntarily surrender before December 1st; and at the same time he published another proclamation in which he predicted the early suppression of the unnatural rebellion, and offered the inhabitants an opportunity to "coöperate in relieving themselves from the miseries attendant on tyranny and anarchy, and in restoring peace and good order with just and lawful authority." A bounty of fifty acres of vacant land for each private and of two hundred acres for each non-commissioned officer was promised to those who would enlist in the Provincial corps for two years or during the war. The Queen's Rangers were with the main army at Germantown, occupying the extreme right of the encampment, and probably the Royal Guides and Pioneers were near by; but on October 12th and 14th, respectively, Howe had the satisfaction of approving lists of officers for two additional Tory regiments, namely, the first battalion of the Pennsylvania Loyalists and the Roman Catholic Volunteers. Alfred Clifton was the commanding officer of the latter and William Allen of the former. Meantime, Tories were arriving at Germantown, including John Parrock and Alexander Kidd from Philadelphia, James Oram from the country near by, and Walter Willet from Bucks County. On October 19th Howe and his command transferred their camp to the Quaker City, and five days thereafter he designated the staff for the first battalion of the Maryland Loyalists at the instance of James Chalmers, its lieutenant colonel, who had previously been a resident of Philadelphia. On November 7th he did the same for the Philadelphia Light Dragoons, which was to consist of two companies with Richard Hovenden and Jacob James as captains. By November 26th, the Pennsylvania Loyalists numbered 145 men and the Maryland Loyalists 133. The first muster of the Roman Catholic Volunteers was taken on December 14th, and showed 62 men, but this number was nearly trebled during the next ten days (*i.e.*, it reached 176 men on December 24th). Hovenden raised his troop of Dragoons in Philadelphia during November and December; while James recruited his troop in Chester County in the following January, the maximum number of the combined troops amounting to 109 men. The Bucks County Light Dragoons were recruited by Captain Thomas Sandford in Bucks County in the fall of 1777, and were commanded by Lieutenant Colonel Watson through the following winter and spring, while Sandford was a prisoner with the Americans. Its maximum enrollment was 55

men. In May, 1778, these three troops were organized into a squadron under Watson's command. During the time that the Bucks County corps was forming, Lieutenant Colonel John Van Dyke of Somerset County, N. J., was raising the West Jersey Volunteers in the southern counties of that Province. In January, 1778, he had 186 infantrymen, and during the course of the next four months he added 157 cavalrymen. Colonel Lord Rawdon, who had come to Philadelphia with the British, was enlisting the Volunteers of Ireland in the early part of May, and probably had 300 recruits before the city was evacuated. We should not overlook the accessions to the New Jersey Volunteers, Queen's Rangers, and the Royal Guides and Pioneers during this period of Tory enlistments: at least a few men joined the Guides and Pioneers, and about 225, if not more, were enrolled in the Rangers, including Captain John Ferdinand Dalziel Smyth and Lieutenant James Murray, with their 61 recruits. Smyth's commission as "an additional captain of the Rangers" was dated September 6, 1777. Many of the men who entered the ranks of this corps at the time of which we are speaking were refugees from Virginia and other Southern Colonies. It will be recalled that a number of recruits from Philadelphia joined the New Jersey Volunteers at Staten Island about the time the test was being applied in 1777. It was less than three months later, or when Cornwallis and his division entered Philadelphia, that the first and second battalions of this corps arrived there. Many volunteers at once enrolled themselves in the companies of Captains Thomas Colden and Norman McLeod; while two new companies were organized during November and December, 1777, one by Captain Donald Campbell and the other, which consisted of Cumberland men, by Captain Richard Cayford.

If now we attempt to figure the number of enlistments gained by the British from the invaded region, we get a total of between 1,700 and 1,800 men, a number that would be reduced to about 1,400, if we exclude the West Jersey Volunteers, who were not recruited in eastern Pennsylvania. Doubtless, this number should be still further reduced on account of accessions gained by detachments during raids into New Jersey. These figures do not agree with those of Joseph Galloway, who confines his to the enlistments secured in Philadelphia. In his testimony before Parliament, Galloway stated that there were within the lines at Philadelphia, when Howe occupied the city, 4,481 males capable of bearing arms, of

whom a fourth were Quakers. His fourth is a generous one, however, leaving a remainder of 3,000. Of these, he says, Howe got only 974 men in all, who were chiefly deserters on account of the unpopularity of the Loyalists authorized to recruit. Galloway added that during Howe's occupation 2,300 deserters came in from the Continental army and were registered and qualified, besides 700 or 800 more, who never reported. Galloway's characterization of the men whom Howe commissioned to raise Provincial companies and battalions was certainly unjust: they were influential, but the British commander in chief lacked the power of infusing his subordinates with the proper military spirit. General Howe achieved great personal popularity among his men, but he achieved little else. Galloway was himself the chosen adviser of Howe, and as the virtual governor of Philadelphia during the occupation was active and serviceable in many ways; and yet he, like his chief, brought nothing of consequence to pass, not even good order in the city.*

After the occupation of Philadelphia, one of Mr. Galloway's first duties appears to have been to number all the inhabitants, in order to distinguish the loyal from the disaffected. In connection with the quartering of troops, he was able to show consideration for his old friends, even if he was not disposed to "lessen the distress of old enemies." He secured horses for the army, procured intelligence of the movements of the enemy through the agency of about eighty spies, rendered the capture of Mud Island Fort more speedy by the erection of some batteries, compiled a chart of all the roads in the vicinity of Philadelphia, and was assigned to administer the oaths of allegiance to inhabitants under Howe's proclamation. As this last named task was beyond his time and strength, Mr. Galloway had Enoch Story commissioned to perform it, and then had to ask for a day or two's extension of time beyond the two months originally announced, on account of the numbers crowding in on Mr. Story late in October. On December 4th, Mr. Galloway

* Scharf and Westcott, *Hist. of Phila.*, I, 349, 350, 352, 354, 360; *Pa. Mag. of Hist. and Biog.*, Oct., 1885, 291; Oct., 1889, 298; Jan., 1886, 429; Jan., 1910, 1; *2d Rep., Bur. of Archives, Ont.* (1904), Pt. I, 669, 684; II, 835, 741; *Am. Mss. in the Roy. Inst. of Gt. Brit.*, I, 136, 138, 139, 143, 150; Rev. W. O. Raymond's *Mss. Notes from the Muster Rolls of Col. Edward Winslow*; Stryker, N. J. (*Loyalist*) *Vol. in the Rev. War* (pamphlet), 12; Sabine, *Loyalists of the Am. Rev.*, II, 378; Siebert, "Refugee Loyalists of Conn." in *Trans. Roy. Soc. of Can.*, Ser. III, Vol. X (1916), 82, 83; Scott, *John Graves Simcoe*, 24; Read, *Life and Times of Governor Simcoe*, 27; *Rep. on Am. Mss. in the Roy. Inst. of Gt. Brit.*, I, 234; III, 170; IV, 474.

was appointed superintendent general of the police in the city and its environs and superintendent of imports and exports. He thus became the civil governor of Philadelphia, being vested with the administration of municipal affairs under the direction of General Howe. Mr. Story and Andrew Smith served as deputy officials of the port and Samuel Shoemaker, John Potts, and Daniel Coxe as magistrates of the police. Mr. Coxe was a noted refugee from New Jersey and had served in the King's Council of that Colony. Messrs. Potts and Shoemaker were well-known Philadelphians and former office-holders. Howe also appointed George Roberts, James Reynolds, James Sparks, and Joseph Stansbury for the city, together with John Hart for Southwark, and Francis Jeyes for the Northern Liberties, to be commissioners for selecting and supervising the night-watch, which numbered one hundred men in the city and ten each in the Northern Liberties and Southwark. Mr. Stansbury was a writer of Tory songs and verses and was later named as manager of a lottery for the relief of the poor. The preservation of peace and order was a difficult task, which subjected Mr. Galloway and the magistrates of the police to "extraordinary trouble and attention to business." These officials were therefore granted £25 sterling every quarter, in addition to their respective salaries. As Howe summarized the amounts paid to Mr. Galloway, they comprised an initial salary of £200 a year, £300 a year more as police magistrate, with 6s per diem for his clerk, and 20s per diem as superintendent of the port, or a total of £770 a year. Other local Loyalists rendered various other services. Thus, for example, George Harding of Philadelphia was employed in disarming those who were disaffected to the Crown and in finding proper locations for the troops. He was also authorized, along with twenty other men, to apprehend spies in the Continental service. Abraham Carlisle, another resident, was given oversight of the entrances to the city, with the power to issue passports. John Parrock, also of Philadelphia, supplied lumber from his wharves for the army quarters and for the navy. William Caldwell of Union Township was one of Galloway's secret service men, as well as a guide for several detachments of the troops. Joseph Murell rendered similar services. Gideon Vernon of Chester County carried dispatches for

General Howe and made observations among the enemy's forces, and Henry Hugh Ferguson was commissary of prisoners.*

It fell to Mr. Galloway, among his numerous duties, to regulate the markets, including the terms of buying and selling. Permits were required for dealers selling more than a bushel of salt or a hogshead of molasses to individual buyers, and this was also true in the case of those handling drugs in quantity. The purchaser of rum and spirits must buy from the importer only, but not more than a hogshead nor less than ten gallons at a time. Tavern licenses were also issued by Galloway, who granted permits to many refugee Loyalists to reopen deserted inns. As a swarm of strangers and fugitive Philadelphians arrived with the new *régime*, not a few seized the earliest opportunity of opening places for trade, including many shops and stores formerly kept by Whigs who were now absent. Christopher Marshall at Lancaster heard that there were about 120 new stores in Philadelphia, one kept by an Englishman, another by an Irishman, "the remainder being 118 Scotchmen or Tories from Virginia." Joseph Stansbury became a dealer in china, William Drewitt Smith reopened his drug store after his return from Winchester, "James McDowell took Gilbert Barclay's store on Second Street, Bird's London Store supplanted Mrs. Devine's, George Leyburn ensconced himself in Francis Tilghman's store, William Robb sold merchandise where William Redwood had served his customers, Ninian Mangies took Thomas Gilpin's place, John Brander, Isaac Cox's, [and] Thomas Blane succeeded to Mease and Caldwell." These and other tradesmen of the city preferred solid coin in place of paper money under the new regulations, and so furnished Joseph Stansbury with a topic for one of his rhymed satires, in which he represented that the shop-keepers rejected the notes because they were issued against lands and mortgages held by the rebels, but that nevertheless many of the friends of government in town—

"Sold each half-joe for twelve pounds Congress trash,
Which purchased six pounds of this legal cash;
Whereby they have, if you will bar the bubble,
Instead of losing, made their money double."

* *Pa. Mag. of Hist. and Biog.*, Dec., 1902, 435, 436; Jan., 1886, 438; Scharf and Westcott, *Hist. of Phila.*, I, 360; *3d Rep., Bur. of Archives, Ont.* (1904), Pt. I, 109, 112, 129, 160, 165, 222, 260, 269, 296, 498, 517, 564, 669, 684; II, 741, 827, 835; Sabine, *Loyalists of the Am. Rev.*, I, 296, 339, 421; II, 112, 199, 301, 325; *Rep. on Am. Mss. in the Roy. Inst. of Gt. Brit.*, I, 145, 160, 201, 218, 277, 364.

Among these friends of government were several publishers of Tory newspapers. Until Howe's arrival in Philadelphia, Benjamin Towne's *Pennsylvania Evening Post* had been Whig in politics. Then, it abruptly became Tory, only to change back again with the return of the Americans. James Humphreys revived the *Pennsylvania Ledger* during the British and Loyalist supremacy, using the royal arms for the heading of his paper; and the *Pennsylvania Gazette* also sought the patronage of the military and refugee populace during the same period. These last two publications suspended about May 23, 1778.¹

The Tories in Philadelphia were panic-stricken by the battle of Germantown, which was fought October 5, 1777; and some of them moved out of the city, though probably not for long. As the wounded were brought into Philadelphia for care in numerous improvised hospitals, the resident Quakers could not avoid seeing more or less of the cruelties of actual warfare; and two days after the battle they sent a deputation to Howe and thence to Washington with testimonies on the ungodliness of war. In their communication to the latter, they made use of the opportunity to assert the innocence of themselves and of their Society of imputations cast upon them; to explain that the aim of their body was to seek only for peace and righteousness in the world, with equal love to all men, and to intimate their desire for Washington's aid in behalf of their brethren still in exile at Winchester, Va. The raising of this last question inclined the American commander in chief to send his callers to Lancaster to lay their request respecting the exiles before the Supreme Executive Council and Congress; but as they timidly withdrew their suggestion, he relieved their minds by inviting them to dinner and ordering them, as one of his officers expressed it, "only to do penance a few days at Pott's-grove."²

From the time the British first entered Philadelphia, September 26, 1777, until they left it, June 17, 1778, or during a period of eight and a half months, fugitives were coming in singly and in groups, as opportunity offered, from the neighboring country, including all the counties of eastern Pennsylvania from Northampton and Bucks on the north to Lancaster and York on the west of the metropolis. They came in also in considerable numbers from

¹ Scharf and Westcott, *Hist. of Phila.*, I, 359, 366, 367, 383; Sabine, *Loyalists of the Am. Rev.*, II, 360; I, 554, 555.

² Scharf and Westcott, *Hist. of Phila.*, I, 359.

Virginia, Maryland, and especially from New Jersey. James Allen, who sent his family into the city in January, 1778, and followed with his sister, Mrs. John Penn, on February 13, noted in his *Diary* after his arrival that the town was filled with refugees from the country, and that the Tories of many localities in Bucks County and in New Jersey had risen against severe persecution and brought in their oppressors as prisoners. In neighborhoods where the number of Loyalists was too small to accomplish such feats of valor, the approach of a detachment of British troops or of a rescue party from the seat of the army had to be awaited. An appeal for succor from a group of Jerseymen was responded to by twenty West Jersey refugees, who crossed to the east side of the Delaware from Philadelphia, had a skirmish with a band of watchful Americans at the mouth of Mantua Creek, and returned with their rescued friends, February 3d. At the end of this month, it was reported in the *Pennsylvania Evening Post* that large numbers of Jerseymen had joined a detachment of the army since its arrival in their vicinity. The *Pennsylvania Ledger* of March 18th declared that there was not a day on which "great numbers" of Loyalists were not flocking to the city, being "driven by the most obdurate and merciless tyranny from all that is dear and valuable in life." An item of May 11th in Allen's *Diary* stated that the "persecutions in the country were very great, that those who refused to subscribe to the test in the various Provinces were treated as enemies and suffered confiscation of their estates, and that Philadelphia was swarming with refugees."⁹

While, as we have already seen, a few of these unfortunate people had sufficient resources still at command to enable them to engage in business, and others received official positions in the city to which salaries were attached, the great majority of the refugees must have been under the necessity of depending on the army or the city authorities for their housing and support. It will be shown farther on that those Loyalists who were embodied in regiments were employed in patrolling the country roads so as to enable farmers and gardeners to reach the city market with their produce, and that they also secured quantities of booty through foraging and plundering expeditions; but in view of the pressing needs of the raiders themselves and of the regular troops, it may be doubted

⁹ *Pa. Mag. of Hist. and Biog.*, Jan., 1886, 431, 436; *N. J. Archives*, 2d Ser., II, 35, 65, 81, 126, 127.

whether or not any of these extra supplies ever reached those refugees who were too impoverished to supply their own wants through the ordinary channels of trade. According to the census that Howe had taken shortly after his entry into Philadelphia, the population amounted to a little more than 23,700, of which the females numbered 13,403, not to mention the children, of whom there were certainly many, although we get no figures concerning them. We can thus see that the proportion of dependents was extremely large, and we know that it was being constantly increased by the arrival of distressed Loyalists. It is easy to understand, therefore, why in the winter of 1777-78, Howe sanctioned the collection of contributions for the support of the almshouse, thirty-two collectors being appointed for the purpose; why as spring approached the commander in chief exhorted the Loyalists in one of his proclamations "to exert themselves in raising vegetables" and other things for the use of the soldiers and inhabitants, and why in April he authorized a lottery, which was placed under the management of Stephen Shewell, James Craig, Reynold Keene, Joseph Stansbury, and twelve others. This lottery produced £1,012 10s for the benefit of the poor in the city.¹⁰ But the best efforts of the Loyalists to supply garden and farm produce for the army and the multitude of refugees within the lines were quite inadequate to relieve a situation which James Allen, writing on June 8, vividly described in the following words: "For 7 months Gen Washington with an army not exceeding 7 or 8000 men has lain at Valley Forge 20 miles from here, unmolested; while Sr W. Howe with more than double his number & the best troops in the world, has been shut up in Philada, where the markets are extravagantly high, & parties of the enemy all round the city within a mile or two robbing the market people. Consequently the distress of the citizens and particularly the Refugees has been very great."

During the winter and spring of 1777 and 1778, the Philadelphia Light Dragoons had been coöperating with the Queen's Rangers in securing the country and facilitating the inhabitants in bringing their produce into Philadelphia. The Rangers, with Redoubt No. 1 at Kensington as their headquarters, patrolled the roads above, particularly the Frankford road, to enable the Bucks County farmers to drive into town with the products of their farms

¹⁰ Scharf and Westcott, *Hist. of Phila.*, I, 367, 373.

and dairies. The market people, however, were prevented by the Americans from coming down below Frankford, and their light horse made frequent sallies on the Rangers' quarters at Kensington. In December or January the withdrawal by Brigadier General Lacey of some of his Pennsylvania militia from the posts they had been occupying in the Delaware-Schuylkill peninsula enabled the patrolling Tory regiments to forage and ravage at will. On February 14th, Hovenden's troop of Philadelphia Light Dragoons went up the Bristol road, and Captain Evan Thomas with his Bucks County Volunteers took the Bustleton road. On their return they brought back most of the officials of Bucks County. During the same month they made other forays into the County of Bucks, as the result of which they captured a number of Continental soldiers, a quantity of cloth greatly needed by Washington's army at Valley Forge, and a drove of 130 cattle. About a month later the Queen's Rangers, the New Jersey Volunteers, and other troops to the number of about 1,500 men engaged in foraging expeditions into New Jersey and Cumberland County, Pa. When, at length, the Pennsylvania militia under Brigadier General Lacey was strengthened, the farmers of Bucks County found it more difficult to reach the Philadelphia market. Many of them were captured, and some were condemned by court-martial to be hanged. Later, those caught conveying produce to the British were deprived of their teams and laden wagons, and were in many cases subjected to a flogging. Lacey's operations were now so successful in cutting off supplies from the city that on May 1, 1778, the Queen's Rangers, the Philadelphia Light Dragoons, and other regiments were dispatched to destroy the energetic officer and his command. Taken by surprise, twenty-six of the Americans were killed, and some of the prisoners and wounded were put to death in brutal ways by their Tory captors.¹¹

The civil authorities, as well as the military, sought to suppress the intercourse between Philadelphia and the outside world during the period of the British occupation of the city. On October 12, 1777, a new "supplement" to the test act of four months earlier was passed, because the latter had not been found satisfactory in actual experience. The supplement was framed to stop the passing from county to county of male white non-jurors and Loyalists, and

¹¹ *Pa. Mag. of Hist. and Biog.*, Jan., 1886, 438; Scharf and Westcott, *Hist. of Phila.*, I, 360, 361, 365, 373, 374, 375.

especially of those coming out of Philadelphia, which was now in the possession of the British. The age limit of those who were ordered to subscribe to the oath or affirmation was now reduced from eighteen to sixteen years, and justices of the peace were empowered not only to exact the oath, but also to require such further security as they might think necessary in individual cases. Imprisonment without bail was the alternative, the end of the sentence depending on the willingness of the suspect to subscribe and furnish the extra security. The final section of the law made it possible for one or more sworn accusers to have persons who avoided traveling about brought before a justice on suspicion of unfriendliness to the independence of the United States, in order that the test might be applied to him. This measure was to go into operation three days after its enactment. The new Council of Safety (October 21 to December 6, 1777) and after it the Supreme Executive Council in their sessions at Lancaster tried and sentenced many offenders on the charge of supplying the royal troops with provisions, or of prosecuting an illicit trade with them. The usual penalty inflicted was one month's imprisonment at hard labor, although in certain instances the term of incarceration was lengthened to that of the war, and occasionally fifty or one hundred lashes were added for some special reason, such as the passing of counterfeit Continental currency by the culprit. As some of those carrying on the forbidden trade lived on the east side of the Delaware River, the civil authorities of New Jersey also employed repressive measures. The General Assembly of that State passed a bill which was intended to prevent all communication between the parties concerned; but since the act was not well enforced, the magistrates of Burlington County, N. J., announced their determination on February 16, 1778, to execute it in the most rigorous manner. On the same date, the governor of New Jersey, William Livingston, recommended the enactment of a bill authorizing the militia, or any other persons, to seize all effects suspected of being carried to or from the enemy, the seized goods to be appropriated to those taking them, in case the persons thus dispossessed should be found guilty by legal process.¹²

These efforts to terminate the intercourse between Philadelphia and the outside world served in considerable measure to increase the distress already existing among the refugees

¹² *Laws of Pa.*, II, 159; *N. J. Archives*, 2d. Ser., II, 56, 57, 87.

and inhabitants of the city, already greatly aggravated, it may be added, by the exorbitant prices of provisions and merchandise prevailing there. Notwithstanding these unfortunate conditions, however, there was no dearth of festivities among the men of the camps and the social set in the metropolis during the Tory supremacy. When off duty the soldiers gave themselves up to amusements. The officers formed themselves into dining clubs, among which was the "Loyal Association Club"; they also held cricket matches, and patronized a cock-pit where mains were fought for a hundred guineas. Weekly balls from the end of January to that of April afforded ample opportunity for the young ladies of the Tory set to establish social relations with the military gentlemen in town. The old South Street Theatre witnessed a series of plays, in some of which the officers took part. Howe paid the price of all this unwarranted gaiety, as well as of his supineness in martial affairs, by being supplanted in his command. On May 7, Sir Henry Clinton landed at Billingsport, and the next day he arrived in Philadelphia. Before Howe embarked for England, he was complimented by a regatta on the Delaware and a pageant of knights, squires, and ladies on the beautiful grounds of the Wharton mansion at Walnut Grove. This combined celebration, which was planned and chiefly managed by Major John André, and was widely heralded as the *Meschianza*, occurred, May 18th, and was participated in by many of the Loyalist belles of the city. The day ended with a grand ball, which lasted until after sunrise the next morning. This concluding event, however, was disturbed by an attack on the abatis north of town by Captain McLane and a detachment of Americans. About the same time, Howe learned that Lafayette and 2,500 of the enemy had crossed the Schuylkill and encamped some distance below Marston's Ford. He, therefore, craved the distinction of closing his term of service with the capture of Lafayette and his force. Although he and Clinton led out 11,000 men in the effort to attain this object, the French general and his men succeeded in recrossing the river, with but a slight loss at the ford. Having thus failed to redeem his military reputation, General Howe relinquished the command of the army to Clinton, and sailed for England, May 24, 1778.¹⁸

¹⁸ Scharf and Westcott, *Hist. of Phila.*, I, 371-382; *Gentleman's Magazine*, Aug., 1778.

On the same day the new commander in chief held a council of war, which decided in favor of evacuating the city; and this decision seems to have been communicated to a meeting of "gentlemen, merchants, and citizens" that took place at the British Tavern. The local historian, Westcott, says that notice had been previously given that all deserters from the American army who wished to go to England would be sent, and that "many availed themselves of the privilege." Probably, the news of the intended evacuation did not come as an entire surprise to the community, for Mrs. Drinker recorded in her *Journal*, under date of May 23d, that preparations for the departure were being made by "many of the inhabitants." On June 3d three regiments crossed the Delaware and encamped near Cooper's Ferry and Gloucester. Two days later Captain Johann Heinrichs of the Hessian Jager Corps, who was then at the Neck near the city, wrote to his brother that "about one thousand royally inclined families" in Philadelphia were "willing to leave hearth and home and with their chattels go with the army." A few days later still the British Peace Commissioners arrived in the city; and one of them, Lord Carlisle, wrote that he found everything in confusion, "the army upon the point of leaving town, and about three thousand of the miserable inhabitants embarked on board our ships, to convey them from a place where they thought they would receive no mercy from those who will take possession after us." In a letter of June 15th to the colonial secretary in London, the Commissioners stated that they had found the greater part of those who had put themselves under the King's protection either retiring on board ships in the Delaware River, or endeavoring to effect their reconciliation with Congress by hastening to take the oath of allegiance to the Confederate States of America within the allotted time, in order to save their property from confiscation and themselves from "the violent resentment of an exulting and unrestrained enemy." As the time for taking the oath of allegiance had already been extended to June 1, 1778, it is highly improbable that additional days of grace were granted to those seeking to make amends for such obvious reasons. Nevertheless, a good many whose past conduct identified them as undesirable citizens in the eyes of the Whigs chose to remain, as did also the wives and children of some undoubted Loyalists who left with the troops, or had taken their departure earlier. In these closing days of the British occupation, Mrs. Drinker re-

cords the parting calls of Enoch Story and Richard Waln, and remarks that Samuel Shoemaker and many other inhabitants had gone on board the vessels. Clinton's intention had been to send his troops back to New York by sea, as they had come; but instead he filled the waiting fleet with Tory families and ordered his army to take up the line of march across the Jerseys.¹⁴

The van of the army withdrew from Philadelphia, June 17th, the main body following on the next day. With the retiring troops marched the Loyalist regiments which had been formed during the British occupation of the city, as well as those which had come as part of the invading host. Since many of the local refugees attempted to carry with them more or less of their possessions, and in some cases the appropriated property of absent Whigs, they impeded the movements of the troops; and according to an item in the *Pennsylvania Evening Post* of June 20th, some of the fugitives, along with other prisoners, were captured by a pursuing body of American light horse. By the time Allentown, N. J., was reached, the Queen's Rangers had been joined by many new refugees, who supplied the guides needed for the remainder of the march. Near Monmouth Court House strong detachments of the American army, which had been sent forward by Washington, attacked the British, June 28th, killing over 250 officers and men and wounding many more, including Lieutenant Colonel Simcoe and Captain Stephenson of the Rangers. While Clinton's force was experiencing these difficulties, the British fleet was reported in Philadelphia to have lost several transports to the enemy, on one of which were five refugee families with their effects. From Monmouth the Queen's Rangers led the way to Sandy Hook, where on July 5th the embarkation of the troops for the brief passage to New York began. They left behind them in New Jersey at least two Tory battalions, namely, the Volunteers of Ireland and the West Jersey Regiment. At the close of August, 1778, the former corps was stationed at Six Mile Hill, a few miles to the southeast of New Brunswick, while the latter was then at Sandy Hook. Towards the end of the following February the Volunteers of Ireland were at New York, with a strength of 509 men. At least two companies of the West Jersey

¹⁴ Scharf and Westcott, *Hist. of Phila.*, I, 383, 384; *Pa. Mag. of Hist. and Biog.*, Oct., 1889, 307; XXII (1898), 146.

Regiment, if not the entire corps, had by this time been incorporated with the New Jersey Volunteers on Staten Island.¹⁵

After Clinton's army landed at New York City the various Loyalist regiments, which had accompanied it, were distributed among the British posts of the neighborhood. Thus, by July 15, 1778, the Queen's Rangers were encamped at King's Bridge, where they were soon joined by the Philadelphia Light Dragoons and the Bucks County Light Dragoons, the three together numbering 448 men at the end of August. The Pennsylvania Loyalists had been sent at the same time to New Utrecht, L. I., near Brooklyn; while the Roman Catholic Volunteers and the Maryland Loyalists had been assigned to Flushing Fly, a few miles to the northeast. Of the three corps last named the August muster showed that the first had 188 men, the second 331, and the third 171. At the close of February, 1779, the Volunteers of Ireland, with a strength of 509 men, were at New York, and the Royal Guides and Pioneers, numbering 173 men, were also there and thereabouts.¹⁶

During the British occupation of Philadelphia the town suffered from spoliation and destruction of property to such an extent that, when the Americans returned to it, they found it in a wretched condition. Nor was this havoc confined to the estates of the absent Whigs. Robert Morton, the Loyalist, says in his *Diary* that the British set fire to "the Fairhill mansion house, Jonathan Mifflin's, and many others, amounting to eleven, besides out-houses, barns, etc.," on November 22d. All these were the buildings of Loyalists, and were only part of the structures similarly dealt with in the same neighborhood, where eighteen other homes were deliberately burned, the reason assigned—according to Morton—being that the Americans had been shooting at the British pickets from these houses. Mrs. Deborah Logan, who witnessed this incendiarism, "counted seventeen fires" from the roof of her mother's house on Chestnut Street. Pierre Du Simitiere, a resident of Philadelphia during this period, wrote that it would be in vain to attempt to give an account of the devastation committed by those in possession indiscriminately on Whig and Tory prop-

¹⁵ Siebert, *The Flight of the Am. Loyalists to the Brit. Isles* (pamphlet), 8, 9, and the references there given; Scott, *John Graves Simcoe*, 22; Reed, *The Life and Times of Simcoe*, 29; *N. J. Archives*, 2d Ser., II, 263, 264, 267, 269, 272-276, 285-291, 296; *Simcoe's Journal*, 62 *passim*; Ms. Muster Rolls of Col. Edward Winslow (in possession of the N. B. Hist. Soc., St. John, N. B.)

¹⁶ Rev. W. O. Raymond's Ms. Notes from Col. Edward Winslow's Muster Rolls.

erty in the environs of the city. He added that "the persecution that numbers of worthy citizens underwent from the malice of the Tories; the tyranny of the police on all those they supposed to be the friends of the liberties of America; all these would fill a volume." Entries in Christopher Marshall's *Remembrancer* from June 23d to June 26th, inclusive, confirm these earlier testimonies: they speak of the houses ruined and destroyed within a mile or two of the city and of "the desolation with the dirt, filth, stench, and flies in and about the town" as scarcely credible. Marshall writes that he was struck with wonder and amazement at the "scenes of malice and wanton cruelty," but that his late dwelling-house was not so bad as many others, although it was "quite gone," its roof, doors, windows, etc., being "either destroyed or carried away entirely." It was not until 1782 that an appraisement was made of all these damages, in accordance with an act of the General Assembly. It then appeared that the loss sustained by the inhabitants of Philadelphia amounted to £187,280 5s. According to this appraisement, forty-six persons suffered damages exceeding one thousand pounds, the losses of eight of these ranging from £3,000 up to £5,622. As Germantown had suffered during the early days of the occupation, having been the headquarters of the main army under Howe and the scene of a battle, it was included in the appraisement. Its claims numbered 137, although some of its losses were not included in this list.¹⁷

¹⁷ *Statutes at Large of Pa.*, IX, 145-151; *Laws of Pa.*, II, 389; Scharf and Westcott, *Hist. of Phila.*, I, 367, 384, 386.

CHAPTER V

WHIG REPRISALS UPON SOME OF THE LOYALISTS DURING AND AFTER THE BRITISH OCCUPATION OF PHILADELPHIA

It was not until more than a fortnight after the British had occupied Philadelphia, and only a few days after Howe had offered bounties of land to such Loyalists as would enlist, that a new Council of Safety was constituted by an act of the General Assembly, October 13, 1777. This new council, which comprised the members of the Supreme Executive Council and nine other gentlemen, was vested with full power to provide for the preservation of the Commonwealth by such ordinances as it deemed necessary, and to punish capitally or otherwise all persons guilty of transgressing these ordinances or the laws of the State previously enacted. This part of the new law was directed against those considered to be inimical to the common cause of liberty. Another section authorized the seizure of provisions and other necessities for the American army and the inhabitants of the State. The duration of these powers was limited, however, to the end of the next meeting of the Assembly. On October 21st the Council of Safety began to operate under this measure by ordaining the collection of arms and accoutrements and shoes and stockings from such inhabitants of Chester County as had failed to take the oaths of allegiance and abjuration required by a law of February 11th in the same year. At the same time it passed an ordinance naming commissioners for the City of Philadelphia and the eleven counties of the State, who were to seize the personal estates and effects of all inhabitants then or in the future guilty of abandoning their families or habitations and joining the King's army, or resorting to any place in its possession within the Commonwealth and supplying the royal troops with provisions, intelligence, or other aid. The commissioners were to make an inventory of the property seized, dispose of the perishable part, and keep safely the money and goods taken, subject to future disposition by the Legislature. The Council justified its action by declaring that divers persons had renounced their allegiance to the State and,

wickedly joining themselves to the enemy, had afforded assistance thereto in various ways, and it further declared that it was repugnant to the practice of all nations to protect and preserve the property of their avowed foes.¹

An ordinance passed a little later authorized the collection of sums from delinquents, of whom there were many in the State, who were indebted to the public treasury for advances paid to their substitutes in the militia, the collection being enforcible by the distress and sale of the goods and chattels of such as refused or neglected to pay. This regulation was soon followed by another requiring the seizure of arms and accoutrements, blankets, and other supplies for the American army from all inhabitants who had not yet taken the oaths of allegiance and abjuration. On December 6th the powers granted to the Council of Safety were terminated by proclamation of the Supreme Executive Council, these powers having been in force less than two months.²

In the early months of the following year the Assembly at Lancaster supplemented the confiscatory measures of the Council of Safety by legislation which was directed against the college in Philadelphia and against persons associating with the enemy. Among such persons were several trustees of the college, while the name of the Reverend William Smith, D.D., the provost of the institution, had been included in a list of individuals considered to be dangerous to the State, which had been drawn up in the previous September. Since, therefore, the college had come to be generally regarded as a Tory institution and was, moreover, in the enemy's hands, the Assembly passed an act, January 2, 1778, by which the authority of the trustees of the college and academy was suspended for a limited time. An act for "the attainder of divers Traitors" was also passed (March 6), which provided that if certain persons failed to appear by a specified date (April 20th), their estates would become vested in the Commonwealth. Those designated were Joseph Galloway, Andrew Allen and his brothers John and William, the Reverend Jacob Duché, and Samuel Shoemaker, all of Philadelphia; John Potts of Philadelphia County, James Rankin of York, Gilbert Hicks of Bucks, Nathaniel Vernon of Chester, Christian Foutz of Lancaster, and Reynold Keene and John Biddle of Berks. Provision was made for the discovery and seizure of the

¹ *Col. Records of Pa.*, XI, 325, 326, 328, 329.

² *Ibid.*, 332, 333, 339, 363.

estates of these persons, as also for the attainting of other individuals adhering to the enemy. Indeed, the act declared that all subjects and inhabitants of the State who should at any time during the war voluntarily serve the King, either by land or sea in an official or private capacity, would *ipso facto* become attainted of high treason, and debtors of traitors were ordered to pay their obligations to the Supreme Executive Council, instead of to the proscribed. In accordance with this law, eight different proclamations were issued by the Council against persons designated as traitors during a period which included the years from 1778 to 1781. The number of those thus published were thirteen in the first proclamation (March 6th, 1778), fifty-seven in the second (May 8th), seventy-five in the third (May 21st), two hundred in the fourth (June 15th), and sixty-two in the fifth (October 30th), or a total of 407 during the year 1778. The proclamation of June 22, 1779, named thirty; that of October 3, 1780, ten; that of March 20, 1781, fifteen; and the last, which was dated April 27, 1781, designated one only. Thus, the number of persons announced as traitors in the entire series of proclamations for being reported as having joined the British was only 453, of which 109 were former inhabitants of Philadelphia, seventy-six of Philadelphia County, seventy-seven of Bucks, eighty-seven of Chester, nine of York, thirty-five of Northampton, four of Bedford, three of Trenton, N. J., and one each of the States of Maryland and New York. As this total was not more than ten percent of the number of Loyalists who left Philadelphia at the evacuation, not to mention the numerous refugees whom we know to have fled from the State during the preceding years, it will be seen that the Council of Safety might have been far more drastic than it was in applying the penalties of attainer and forfeiture of property to the adherents of the Crown.³

Among these attainted men all classes were represented: there were numbers of laborers, yeomen, and husbandmen; there were many also who had been engaged in shop-keeping and in a variety of trades; among the merchants we find Enoch and Thomas Story, Abel James, John and Charmless Hart, Matthias Aspden, Malcolm Ross, David Sproat, Oswald Eve, and Robert White; John Bray and Hugh Lindon were school-masters; among the attorneys

³ *Colon. Records of Pa.*, XI, 488-489, 504, 505, 512-518, 587; XII, 27, 496, 665, 710; *Laws of Pa.*, II, 165-176; Scharf and Westcott, *Hist. of Phila.*, I, 377.

were Charles Stedman, Jr., Abel Evans, and Christian Hook; at least two prominent physicians were proscribed, namely, Anthony Yeldall and Andrew DeNormandie; William Drewitt Smith and Christian Voght, the latter of the Borough of Lancaster, were druggists; there were a few who were designated as "gentlemen," for example, Ross Curry, Alfred and William Clifton, John Kearsley, Jr., and John Young of Graeme Park; then there were some who had held high rank in civil and military circles, such as Joseph Galloway and Andrew Allen, "late members of the Congress of the thirteen United Colonies," the Reverend Jacob Duché, the first chaplain of Congress; John Biddle, collector of excise for the County of Berks and deputy quarter master general of the American army; Christian Foutz, lieutenant colonel of militia in Chester County, and Benedict Arnold, major general in the army of the United States; and finally there were numerous officials of minor rank, including Joseph Swanwick and John Bartlett of the Custom House of Philadelphia; John Smith, gauger of the port of the city; Samuel Carrigues, Sr., clerk of the market; William Austen, keeper of the New Jersey ferry; Abraham Iredell, surveyor; Nathaniel Vernon, sheriff of Chester County; Samuel Biles, sheriff of Bucks County; Robert Land, justice of the peace of Northampton County, and Samuel Shoemaker, alderman of Philadelphia.

On April 1, 1778, the Assembly had passed a law "for the Further Security of the Government," which extended the time for subscribing to the test to June 1st. Any male white inhabitant of eighteen years of age or older who failed to comply was to be incapable of bringing any legal action, serving as a guardian, executor, or administrator, receiving a legacy, or making a will, besides being subject to double taxes. Non-jurors might be imprisoned for three months, or they might be fined £10 or less and required to leave the State within thirty days, besides forfeiting their goods and chattels to the Commonwealth and their lands and tenements to the persons entitled by law to inherit them. As many individuals had been entering Philadelphia on various pretexts since its occupation by the British army, permits issuable by Congress, the Executive Council, or General Washington were to be required. The failure to observe this requirement laid the delinquent liable to a fine of £50 or less and imprisonment during the court's pleasure. The disabilities imposed upon non-jurors by the present law and the test acts of 1777 were to last for life. Office-holders under

the proprietary government who did not renounce their allegiance to the Crown before June 1, 1778, or within ten days after returning to the State, were to have the privilege of selling their estates within ninety days, under permission from the Supreme Executive Council, and departing, or be deemed enemies and compelled to forfeit their goods and chattels, lands and tenements. Finally, all trustees, provosts, rectors, professors, and tutors of any college or academy, all school-masters, merchants, traders, lawyers, doctors, druggists, notaries, and clerks who did not submit to the test would thereby be disabled from following their vocations and, on conviction of disregarding this injunction, might be fined as much as £500. The object of this last section of the new test law was to enable the Supreme Executive Council to deal with the officers of the College, Academy, and Charitable School of the City of Philadelphia.⁴

It was not, however, until in February, 1779, that a resolution was adopted appointing a committee to investigate the early history, the purposes, and the condition of the college. In consonance with the wishes of the trustees, Provost Smith submitted a written defense of the course and conduct of the trustees and other officers, but without the desired effect; for on the 27th of the following November a law was passed by which the proprietary charters of the College, Academy, and Charitable School were "amended" and the provost and all others connected with these institutions were removed. The name of the college was changed to "The University of the State of Pennsylvania," and the rights and property hitherto vested in the trustees were transferred to a new board appointed by the Assembly, which also authorized the Supreme Executive Council to reserve a sufficient number of estates confiscated from attainted Loyalists, but as yet unsold, to endow the reorganized establishment with an annual income not to exceed £1,500. During the next few years the university was vested with sixty such estates. The annual rent charges which these properties would produce were carefully computed in bushels of wheat and totaled not far from 1,550 bushels. The estates thus appropriated for the university were scattered through five counties, twenty-one of them being in the City of Philadelphia, twenty-one others in the county of the same name, seven each in Berks and Chester counties, three in Bucks, and one in Lancaster. Five of the properties in Berks

⁴ *Statutes at Large of Pa.*, IX, 149-151; Scharf and Westcott, *Hist. of Phila.*, I, 377.

County had belonged to Andrew Allen, and eight of those in Philadelphia had been held by John Parrock. Only two of the other estates had belonged to a single owner at the time of their confiscation. In addition to these sixty properties, the trustees, with the concurrence of the Supreme Executive Council, purchased fifteen other confiscated real estates at the public sales, all but three of these being in the City of Philadelphia. They also bought fifteen "rent charges, together with all the estate, interest and claim of the Commonwealth" in and to the lots and lands in the city from which these rentals emanated. Eleven of these last purchases had belonged to John Parrock and the other four to Samuel Shoemaker. Thus, by the purchase of the trustees and by the action of the Council, the university secured a total of ninety confiscated properties, of which forty-eight were located in Philadelphia and twenty-four in the county of the same name. As the income of these properties did not amount as yet to more than a yearly value of £1,381 5s 7½d, computing wheat at the rate of ten shillings per bushel, the Legislature proceeded on September 22, 1785, to enact that the "several confiscated estates, lands, tenements and hereditaments and rent charges" be fully and absolutely vested in and confirmed to the University of the State of Pennsylvania."⁵

Meantime, Thomas Mifflin and nine other trustees of the old college presented a memorial to the Council of Censors proposing to restore the original corporation. The committee to which this memorial was referred reported in favor of the action requested. The matter was also brought to the attention of the Assembly by a letter from the former provost, Dr. Smith, and the committee named to consider the question reported that the college had never forfeited its rights nor committed any offense against the laws. The committee, therefore, recommended a resolution for adoption repealing the act of November 27, 1779, by which the property and rights of the college had been transferred to the board named by the Assembly.

In accordance with these recommendations, the Assembly by a vote of twenty-eight yeas to twenty-five nays enacted a law, March 6, 1789, in the preamble of which the admission was frankly made that the corporation, trustees, professors, and other officers of the old college and its subsidiary schools had been deprived of their charters, franchises, and estates without trial by jury or

⁵ *Laws of Pa.*, II, 228-229, 258; III, 113-121, 302-306.

proof of forfeiture. The new law therefore repealed such parts of the act of November 27, 1779, as concerned the ancient corporation, its charters, and its former rights, and provided for the reinstatement of the trustees and the restoration of the faculty to all of the rights, emoluments, and estates which they had formerly held and enjoyed, except such rents and profits as had been received by the board of the university before March 2, 1789, such sums as had already been paid out in the discharge of just debts and contracts, and such bonds and mortgages as had been transferred, cancelled, or paid by it. The trustees of the university were, however, to be accountable to the trustees of the college for the value of these mortgages and bonds. Inasmuch as the unrepealed sections of the law of 1779 left the university still intact and in possession of the confiscated estates with which it had been endowed, the effect of the act of 1789 was to make the college and the university separate institutions.⁶

For the next seven years the two institutions, both located in Philadelphia, sustained the relation of rivals in the educational field. Then, their respective boards addressed petitions to the Assembly, in which they set forth that they had agreed to certain terms of union in the desire that the two might be combined by legislative action. Accordingly, an act was passed, September 30, 1791, which provided that the name of the resulting institution should be "The University of Pennsylvania," the location remaining in the city; it also provided that the existing boards of trustees should elect twelve persons from among their own members on or before December 1st, who, with the governor of the State, should constitute a new board. This body was to have control of all funds, was to support a charity school for boys and another for girls, and was to choose the faculties in arts and medicine for the new university from each constituent institution equally. By this highly commendable action, the way was cleared for the future growth and usefulness of the University of Pennsylvania.⁷

Notwithstanding the fact that Governor John Penn had been deposed and the proprietary *régime* superseded since the summer of 1776, the Penns were left in a state of uncertainty for more than three years as to the settlement of their claims. In February, 1778, shortly after the Assembly had passed the act of attainder and

⁶ *Laws of Pa.*, III, 302-306; Scharf and Westcott, *Hist. of Phila.*, I, 385, 386.

⁷ *Statutes at Large of Pa.*, XIV, 184-187.

confiscation against Loyalists adhering to the enemy, it took up this highly important question. Governor Penn was notified at this time, and chose counsel to represent the family interests. Still, no action was taken until November 27, 1779, when after several days spent in discussion of the subject, the Assembly passed a law in which the proprietary charter was construed as an instrument "containing a public trust for the benefit of those who should settle in the State of Pennsylvania, coupled with a particular interest accruing to . . . William Penn and his heirs, but in its very nature and essence subject and subordinate to the great and general purposes of society sanctioned in the said grant." The law further declared that the claims of the proprietaries to the whole of the soil bestowed by the charter, and likewise to the quit rents and purchase money for grants since made by them, were no longer consistent with the safety, liberty, and happiness of the inhabitants, who had rescued themselves and their possessions from the tyranny of Great Britain, and were then defending themselves from the inroads of the savages; and it asserted that effective measures were demanded by the great expenses of the war and by the daily emigration of "multitudes of inhabitants" to neighboring States, where lands were being located and settled. Accordingly, the new law decreed that the interest, title, and claim which the proprietaries possessed in the soil of the late Province on July 4, 1776, together with the royalties, lordships, and all other hereditaments authorized by the charter, were henceforth vested in the Commonwealth, and subject to division, appropriation, and conveyance, in accordance with such laws as might be later enacted. Exception was made, however, of the rights appertaining to other persons than the proprietaries, by virtue of any deeds, warrants, or surveys of grants derived from the Penns, and filed in the Land Office before the Declaration of Independence. That is to say, the law confirmed both the legal and equitable rights of such persons. To the proprietaries themselves it secured their private estates and inheritances, besides such manors or "proprietary tenths" as had been surveyed and reserved in the Land Office by July 4, 1776, and in addition the quit rents and other rents belonging to them. It was further provided that commissioners should be appointed to constitute a Board of Property, with power to collect all papers, records, maps, and surveys in the possession of the proprietaries or their agents respecting the lands within the State, and with power

also to grant patents, confirm titles, appoint surveyors and other officers, and receive money arising from the sale of lands not as yet surveyed or located.⁸

In compensation for the proprietary rights of which the Penns were deprived by the above provisions, and in "remebrance of the enterprising spirit" of the founder of the State and "of the expectations and dependence of his descendants," the law awarded the sum of £130,000 sterling to the devisees and legatees of Thomas Penn, in such proportions as should thereafter be fixed by the Legislature. Although a section of the law provided that no part of the sum stipulated should be paid within less than one year after the termination of the war, it was not until February 9, 1785, that an act was passed authorizing the immediate payment of £15,000 as the first annual instalment. This amount had not been fully paid, however, at the end of March, 1787. Meanwhile, interest was accruing on the residue of the debt. Hence, at this time (March 28th), it was enacted that the State treasurer pay the respective balances still due on the first instalment to John Penn, the elder, and John Penn, the younger, together with interest at six percent per annum from September 3, 1784, and the Supreme Executive Council was ordered to issue warrants on the treasurer forthwith for the discharge of the second and third instalments of £15,000 each, with interest from the dates of their maturity, respectively. Warrants or orders for what appear to have been the fourth and fifth instalments, although designated the fifth instalment in the *Records*, were issued on March 20, 1789, when the elder Penn received £7,500 and the younger Penn received £22,500. The sixth instalment, which amounted to £25,812 10s, was ordered paid a year later. Thus, by the spring of 1790, the Penns were in possession of £100,000 out of the compensation granted them by the State. On April 9, 1791, the Legislature made provision for the appropriation of a sufficient amount of six percent stock created by the State's subscription to a United States loan to discharge the last two instalments, and empowered the governor—the Executive Council had been supplanted by a single executive—to draw the warrants on the State treasurer for all arrearages of principal and interest, whenever the Penns or their agents should apply for the payment of the debt still due them.⁹

⁸ *Laws of Pa.*, II, 280-284; Scharf and Westcott, *Hist. of Phila.*, I, 406, 407.

⁹ *Laws of Pa.*, III, 200; *Statutes at Large of Pa.*, XII, 431-435; XIV, 81-85.

The claim made by the proprietaries on the British government for the losses and sufferings sustained by them in consequence of the Revolution amounted to £944,817 sterling. This was reduced after prolonged investigation by the Commissioners on Loyalists' Claims to £500,000, and that estimate was recommended to Parliament for settlement. On the suggestion of Mr. Pitt, however, that body departed in this instance from its practice of granting a stipulated sum as in the claims of other adherents of the Crown: it passed an act in 1790 by which an annuity of £3,000 was granted to John Penn, the son of the elder branch, and an annuity of £1,000 to John Penn, the son of the younger branch of the family. Sabine remarks that "the Penn estate was by far the largest that was forfeited in America, and perhaps that was ever sequestered during any civil war in either hemisphere"; but he also calls attention to the fact that the large sum which they received from Pennsylvania, together with their annuities from Parliament, the immense estate which they retained in the Commonwealth founded by their ancestor, and the offices subsequently conferred on them probably placed them "in a condition quite as independent as that which they enjoyed previous to the Revolution." Certain it is that the Penns remained the largest landed proprietors in Pennsylvania, by reason of their manors and other real estate, together with the ground rents and quit rents which they derived therefrom.¹⁰

¹⁰ Sabine, *Loyalists of the Am. Rev.*, II, 162, 163; *Colon. Records of Pa.*, XVI, 4, 23, 300, 306; Scharf and Westcott, *Hist. of Phila.*, I, 407.

CHAPTER VI

THE PURCHASE OF THE INDIAN TRACT ON LAKE ERIE

Besides the public domain which the revolutionary government of Pennsylvania took from the proprietaries and the numerous private estates which it confiscated from the attainted Loyalists, a large triangular tract of territory fronting on Lake Erie was acquired from the Six Nation Indians by purchase, notwithstanding the fact that they had allied themselves with the British early in the war, had made Fort Niagara their headquarters, and had engaged in many expeditions with Butler's Rangers against the frontier settlements. The first definite action looking to the purchase of the tract in question was taken by the Assembly, September 25, 1783, when a resolution was adopted by that body authorizing the appointment of purchasing commissioners. These commissioners seem not to have been named by the Executive Council until late in February, 1784, and on December 4th the Council was able to report that the purchase had lately been made. The lands thus secured were offered for sale to white settlers at a price which proved to be too high to attract many buyers; and the Council suggested to the Assembly in a message of February 23, 1787, that the price be lowered, since only eight warrants had been issued for lots within the purchased tract during the past six months.¹

On September 4, 1788, Congress passed an act by which the United States government relinquished and transferred to the State of Pennsylvania its right, title, and claim to the tract on Lake Erie. As a meeting of the Northern and Western tribes was soon to be held at Muskingum to make a treaty with the Continental commissioners, the State Assembly took action on September 13th, empowering the Council to appoint two commissioners to secure from the forthcoming council a conveyance of its rights in the purchased tract, as the Western tribes had acknowledged claims therein. Accordingly, General Richard Butler and General John Gibson were named as the agents of the Commonwealth to attend the approaching council. The instructions, which were framed for their guid-

¹ *Colon. Records of Pa.*, XIV, 45, 271, 278; XV, 167.

ance, informed the new commissioners that the State was already "vested with both right of jurisdiction and soil," but that the purchase of the claims of the natives, which they were to effect, was agreeable "to the constant usage of Pennsylvania," and that they were to exercise their discretion whether to commence the business with the Indians at present, or postpone it until a more favorable time, according to the temper in which they might find the tribes. Evidently the Indians manifested a friendly disposition, for on March 4, 1789, the Council sent to the Legislature the report of the commissioners that the transaction had been satisfactorily completed, together with an Indian deed of cession covering the tract.*

* *Colon. Records of Pa.*, XV, 531, 609; XVI, 36, 37, 139.

CHAPTER VII

THE SURVIVAL OF LOYALISM IN PHILADELPHIA AND ELSEWHERE IN PENNSYLVANIA AFTER THE DEPARTURE OF THE BRITISH

On the day of the evacuation of Philadelphia, June 18, 1778, Captain Allen McLane and his Maryland troopers followed the British as they retreated into the Neck and captured Captain Thomas Sandford of the Bucks County Light Dragoons and Frederick Varnum, keeper of the prison under Galloway. On the next day the American forces re-entered Philadelphia, and Major General Benedict Arnold was made commandant of the city. Arnold at once issued a proclamation calling attention to the resolution of Congress of June 4th, which requested Washington to see that order was preserved in the town and to prevent the removal or sale of the King's goods that remained in the possession of the people. Persons having a supply of certain articles, including all kinds of provisions beyond family need, were to make return to the town major. A large quantity of salt and other supplies were discovered and seized under this order. Severe punishment was to be meted out to any found concealing British officers or soldiers or deserters from the Continental army. On June 20th, the city and its markets were declared open, and on the 25th and 26th, Congress and the Supreme Executive Council, respectively, began their sessions in the city.

The returning inhabitants had many complaints to make concerning the damage or removal of their property by the departing host, one giving notice that "Joseph Fox, a noted traitor, had seized and taken away four tons of blistered steel, and all the apparatus belonging to the steel furnace," which he had sold in the city; while another reported the removal of a printing press and its belongings, which were carted away in the King's wagons by James Robertson, the Tory printer of the *Pennsylvania Gazette*. In August, Arnold had a court-martial held for the trial of George Spangler and Frederick Verner on the charge of being spies in the British employ. The former was hanged the same month; but the

latter was kept in prison until he was finally exchanged. As many other Loyalists remained in Philadelphia, the Whigs preferred charges before Chief Justice Thomas McKean against some of these for aiding the British army, formed an association, afterwards called "the Patriotic Society," with the object of "disclosing and bringing to justice all Tories within their knowledge," and committed an attack on the house of Peter Deshong, who escaped injury by surrendering to the authorities as a proclaimed traitor. In September Deshong, together with several others accused of treason, was tried and acquitted; but Abraham Carlisle of Philadelphia and John Roberts of Lower Marion, two Quakers well along in years, were convicted and, despite the appeals of some members of their juries and of numerous Whigs for commutation of sentence, were executed. Many other prosecutions followed during the months of November and December.¹

Meanwhile, General Arnold was occupying the mansion of Richard Penn, living in great extravagance, associating chiefly with Tory families, and getting into trouble through his gross venality. Already in December, 1778, it was being rumored among his acquaintances that Arnold would be discharged from his post, "being thought a pert Tory," and soon after that he was behaving "with lenity" towards this class of Philadelphians. In the latter part of March the commandant bought a handsome country estate at Mount Pleasant, which a purchasing agent of General Washington says he paid for by appropriating to his own use \$50,000 which the agent left to his order for the liquidation of bills for army stores and clothing. At length, Arnold's corruption and display became so scandalous that the Supreme Executive Council formulated a series of charges against him, which he evaded by leaving the city. By direction of Congress a court-martial was held to try Arnold, but not until in January, 1780. Being convicted on the minor charge of making private use of the army wagons, he was sentenced to receive a reprimand from the commander in chief. He was exasperated by this verdict, and in the following spring he began his traitorous correspondence with General Clinton. In mid-summer he was appointed commander of the fortress of West Point, "the gateway of the Hudson Valley," at his own request by Washington. The arrangements for the surrender of this important post to the British were completed at

¹ Scharf and Westcott, *Hist. of Phila.*, I, 385, 386, 387, 394.

Arnold's secret conference with Major John André at Stony Point on a dark night in September; but André was captured immediately afterward near Tarrytown. A letter unsuspectingly sent by Colonel Jameson informed Arnold of the British officer's arrest, and he fled on horseback to the river, where he boarded the enemy's sloop of war *Vulture* under a flag of truce. By October 8th, he was at the head of the American Legion, a corps of Loyalists newly organized by him in New York, which then numbered only 75 troopers. This was the command he got as part of the price of his perfidy; but he also received £6,000 sterling. On October 2d, Arnold's estate at Mount Pleasant was confiscated by the Supreme Executive Council. It was subsequently sold to pay off a mortgage. On October 27th, the Council ordered his Loyalist bride, who was a daughter of Chief Justice Edward Shippen of Philadelphia, to leave the State within two weeks.²

A widespread fear of Toryism continued to prevail in Philadelphia after the re-occupation of the city by the Americans. During 1779 a number of supposed British sympathizers were prosecuted on various charges; but most of them were acquitted, and a few were discharged because witnesses failed to appear against them, although they were required to give security for their good behavior. Of the few convicted, Samuel R. Fisher, a Quaker, was sentenced to jail for having sent information to the enemy at New York; George Hardy, who was to suffer capital punishment for having helped to disarm citizens of Southwark, was reprieved with the rope around his neck until after the session of the next Assembly; Joseph Pritchard was found guilty of misprision of treason and laid under the penalty of losing his property and being imprisoned during the war, and William Cassedy, *alias* Thompson, was sentenced to death for high treason.³

That the community was not disposed to relax its vigilance in regard to the Loyalists is shown also by certain events occurring in the spring of this year. Thus, at the end of March, the Assembly passed a law empowering the officers of the militia to disarm non-jurors within their respective districts against whom sworn information should be given before a justice, permission being granted to the officers to remove cannon and all other warlike

² Scharf and Westcott, *Hist. of Phila.*, I, 389-392; Rev. W. O. Raymond's *Ms. Notes on Col. Edward Winslow's Muster Rolls*.

³ Scharf and Westcott, *Hist. of Phila.*, I, 400.

weapons from buildings belonging to the suspects. In May a public meeting was held to take measures for ascertaining whether inimical persons still remained in the city. Its action resulted in the appointment of a committee to hear evidence against any who might be accused of unfriendliness to the United States. As the proceedings of this committee did not meet with popular approval, the companies of militia formed a committee of their own, which on October 4th arrested several citizens and took them to a tavern on the common, where 200 of the militia also assembled. This body then marched to the house of James Wilson, Esq., a lawyer who had defended certain Tories accused of treason, taking with them two cannon and a number of Quakers and Tories whom they had arrested. Anticipating an attack, Mr. Wilson and his friends were prepared to resist. Before the mob in the street was finally dispersed, an affray occurred in which some persons were injured and three were killed. Twenty-seven of the attacking militiamen were seized and incarcerated, but were admitted to bail the next day. On October 6th the Supreme Executive Council issued a proclamation calling on the other rioters and the inmates of Wilson's house to surrender themselves, pending a judicial inquiry, and some of the latter did so. The Council attributed this tumult to the "undue countenance and encouragement" shown to disaffected persons by "men of rank and character in other respects," as also to the frequent disregard of the laws and public authority of the State. Those who gave themselves up in obedience to the Council's proclamation were bound over in large sums for their appearance at the next session of the Court of Oyer and Terminer. David Solebury Franks, the commissary of British prisoners, who was involved in this affair and had surrendered himself along with the others, was ordered to depart the State but delayed until November 22d, when Joseph Reed, the president of the Council, informed him that he was expected to set out on his journey the next day without further indulgence. As for the others involved in this affair, neither the militia nor Wilson's friends were prosecuted, the Assembly passing an act of amnesty in their behalf on March 13, 1780.⁴

Meanwhile, on August 11, 1779, the Supreme Executive Council asked the chief justice of the State for his opinion regarding

⁴ *Statutes at Large of Pa.*, IX, 346-348; *Colon. Records of Pa.*, XII, 121, 130, 137-139, 145, 152; Scharf and Westcott, *Hist. of Phila.*, I, 401-403; Sabine, *Loyalists of the Am. Rev.*, II, 444, 445; *Laws of Pa.*, II, 257.

the status of certain Pennsylvania Loyalists, who had been captured at sea while engaged in a privateering enterprise and were already confined in the State prison. The chief justice replied that such of the prisoners as had not owed allegiance since February 11, 1777 (when the law defining treason and misprision of treason was enacted by the Assembly), were to be deemed prisoners of war, while any others might be proceeded against as traitors under the act of September 8, 1778, establishing a Court of Admiralty. On September 14, 1779, the Council directed the chief justice to obtain the facts in regard to the prisoners in question and submit them, together with his advice. What that official reported does not appear; but it was of such a tenor that the Council ordered the commissary of prisoners not to exchange his privateering charges without the further order of the board. On October 1st the Assembly passed a further supplement to the test laws because, as the supplement stated, many persons had omitted to subscribe to them probably "from disaffection to our late glorious revolution." In order, however, to afford all an opportunity to subscribe, the time for taking the test was extended to December 1st for the inhabitants of Cumberland, Bedford, Northumberland, and Westmoreland counties, thirty-five days being allowed for the inhabitants of Lancaster, York, Berks, and Northampton counties, and twenty-days only for the non-jurors of the City and County of Philadelphia, as also for those of Bucks and Chester counties. Persons refusing to take advantage of these arrangements were declared to be forever incapable of electing or being elected to office, serving on juries, or keeping schools, and to be forever deprived of the privileges and benefits of citizenship. This measure was followed within a few days by one authorizing the Council and the justices of the Supreme Court to order the arrest of suspects and to increase the fines of persons neglecting their militia duty.⁵

The enactment of such laws indicate that the authorities still had many Loyalists to deal with. The popular resentment against this class of inhabitants had vented itself upon the male sex; and with but few exceptions the action of the Supreme Executive Council and the other bodies that were entrusted with the promotion of the cause of liberty had been directed against members of the same sex. But in June, 1779, the grand jury had made a present-

⁵ *Colon. Records of Pa.*, XII, 71, 74, 103, 112; *Statutes at Large of Pa.*, IX, 277-283, 404-407; *Laws of Pa.*, II, 219.

ment to the effect that the wives of British emissaries had not departed and were keeping up an injurious correspondence with the enemies of the country, supplying them with intelligence and propagating the most poisonous falsehoods. This action appears to have produced no marked effect in causing the wives of absent Loyalists to follow their husbands into exile, so far as official records show. During the entire year of 1779 the Council issued scarcely more than a score of passports to such persons. One of these was granted to Mrs. Jacob Duché and her children; but on July 1st another pass was issued to the same family to return on account of Mrs. Duché's ill-health. Under date of February 4, 1780, an entry appears in the minutes of the Council that Elizabeth Fegan, the wife of an attainted traitor, was still lingering in Philadelphia, after having been accorded permission to go to New York, and that if she should be found within the State ten days from date, she was to be arrested and confined in the common jail. The record shows that a few passes in the usual form, that is, on condition that the applicant should not return or must obtain the Council's consent before doing so, were granted during this month. It was not until March 7th of this year that the Council reached the conclusion that the grand jury had reached nine months before, being constrained thereto no doubt by the discovery in an intercepted journal that Mrs. Samuel Shoemaker, whose husband was with the enemy, had been assisting prisoners and other persons inimical to the American cause to pass secretly to New York. At the same time the power to pardon persons under sentence of death for treason was vested by legislative act in the Executive Council, on condition that such persons would depart to foreign lands and not return to the United States. The Council now decided to publish notice that passports would be granted before April 15th to Loyalist wives to go within the British lines to their respective husbands, and that their neglect of proceeding thither would render it necessary to take further measures for the purpose. Only two women seem to have responded to this action, one of these being Mrs. Shoemaker, who did not secure her pass until April 16th, and had the courage to ask to be allowed to return within a year, but was subjected to the condition of obtaining the Council's consent. On June 6th the Council announced that public notice would be given to the wives and children of such persons as had joined the enemy, requiring their departure from the State within ten days,

and that protection would then be withdrawn from any remaining, who would become liable to prosecution as enemies of the State. A second clause of this order added that anyone carrying letters to or from New York or other places in the possession of the British would be subject to legal action, unless the letters had been inspected and properly endorsed by a member of the Council, or of the Continental Board of War, or by the commissary of prisoners; and it was recommended that offenders be taken before a justice of the peace for commitment until the further order of the Council. On June 13th passports were issued to seven women under the terms of the new order, and on June 16th to ten more. The ten days specified in the resolution had now elapsed; but during the next thirty days the Council had to enforce its decree by directing that several wives, who had failed to depart, should be put in the workhouse, until they should give security to leave the State and not return again. During October several more women were sent to join their husbands, including Mrs. Esther Yeldall, the wife of Dr. Anthony Yeldall, who was required to take her five children with her and furnish bond in the sum of \$20,000 not to return to any of the States during the war. Permission was granted during the same month to William Hamilton to sail for St. Eustatia and to Thomas Mendenhall to proceed to Ireland by way of New York. On December 18th Joseph Stansbury and his family were offered the privilege of going within the British lines. Mr. Stansbury had been included in the proclamation of attainder published on June 15, 1778. In 1780 he was arrested and imprisoned in Philadelphia on the charge of engaging in illicit trade with the enemy, but in December was allowed to remove with his family and effects to New York, on condition that he would "use his utmost endeavors" to have two American prisoners on Long Island returned. On December 21st his request for his books and papers was granted by the Supreme Executive Council; and on the 8th of the following month a passport was issued to Mrs. Stansbury, her six children, and her maid servant. We hear nothing more of this exiled family until February 21, 1781, when they were together in New York City and were put in the way of drawing rations from the British commissary department. From May 1 to the end of June, 1782, Mr. Stansbury was employed in the secret service. In June of the following year he retired with his family to Moorestown, N. J., where he had hired a house, but was at once arrested under a war-

rant from Governor Livingston and ordered to return to New York. Here on August 9th he was supplied with a letter of recommendation from General Sir Guy Carleton to Governor John Parr, inasmuch as he was about to sail with his household for Nova Scotia.⁶

During 1781 a few passports were granted to women to go to New York, on condition of not returning during the war, and one on the same condition to Margaret Maguire, whose destination was Charlestown (S. C.). But with the advent of the next year a marked change in the character of the passports is to be noted. Although numbers of passports continued to be issued during the remainder of the war, a large proportion of them name other destinations than New York, and even those which name that metropolis provide for the return of the applicant. This is not invariably true, for several exceptions occur during the fall, winter, and spring of 1782-83; and a group of four within this period designate Newburyport, while denying the right to return. In February, 1783, one applicant is permitted and another refused the privilege of going to Nova Scotia; and on April 17th the Honorable John Penn, his wife, and attendants are authorized to proceed to New York. If the Council's formula "not to return" or "not to return during the war" be taken as a criterion of the Royalist attachments of those to whom it was applied, over ninety such were supplied with passports during the period of eighteen months from the beginning of September, 1778, to the end of July, 1783. Of these ninety or more, thirteen were men; the others were women with a few children. In most cases the destination was New York; but four passports were issued for Newburyport; two for Halifax, one for Nova Scotia, one for Charlestown, one for St. Eustatia, one for Ireland, one for Germany, and two for Europe.

Not only the wives of Loyalists who had joined the enemy proved particularly troublesome during the early months of 1780; but the Quakers also, both in the City and County of Philadelphia, proved to be a disturbing element by declining to furnish information in regard to the amount of their property for the purposes of taxation, although such concealment rendered them liable to a four-fold assessment. Then, too, the resident Loyalists were so active

⁶ *Colon. Records of Pa.*, XI, 48, 518, 571, 642, 649, 678, 758; XII, 11, 21, 24, 29, 36, 44, 61, 68, 69, 79, 81, 101, 120, 248, 253, 256, 257, 270, 271, 300, 352, 377, *passim*; XIII, 17, 21, 30, 59, *passim*; *Rep. on Am. Mes. in the Roy. Inst. of Gt. Brit.*, II, 248; III, 85; IV, 216, 269; *Laws of Pa.*, II, 253, 254.

in intrigues of various kinds that the principal Continental officers in Philadelphia, headed by General Anthony Wayne, published an address on April 6th declaring their "fixed and unalterable resolution to curb the spirit of insolence and audacity, manifested by the deluded and disaffected" by refusing to associate or communicate with anyone who had exhibited "an inimical disposition, or even lukewarmness to the independence of America," or with anyone who might give countenance to such persons, "however respectable his character or dignified his office." They said further that they would regard any military officers who should contravene the object of their declaration as a proper subject for contempt. Among those who were manifesting their inimical disposition at this time were several persons taken up for aiding British prisoners and other enemies of the State to escape. One of those arrested was Dr. William Cooper of Philadelphia, who had concealed a Loyalist for some time and had then procured him a doctor's place on board an armed ship. As Dr. Cooper chose to depart rather than give security for his good behavior in the future, he was granted two months in which to prepare. John Kugler, his wife Susanna, and Abraham Harvey, who were examined by the Council on the charge of helping prisoners and others to flee to New York, Mrs. Kugler being also charged with harboring spies, were sentenced to jail. The same punishment was visited upon James Scott and Henry Lane, two former inhabitants of Philadelphia, who had recently returned to the city.¹

With so much active Toryism abroad at a time when the outlook for the American cause was peculiarly discouraging, the Supreme Executive Council decided on June 6th in favor of discriminating between the friends of independence and the non-jurors in exacting supplies to meet the pressing needs of the army. Three days later the Council proclaimed martial law in Philadelphia and announced the establishment of an Office of Enquiry to be conducted by commissioners for the arrest of all suspicious characters and to take such other measures as the public safety might require, on the ground that the admission of strangers into the city without examination was enabling the enemy to send in spies and emissaries, distribute counterfeit money, and employ other means to defeat the public welfare. All civil and military of-

¹ Scharf and Westcott, *Hist. of Phila.*, I, 408, 410; *Colon. Records of Pa.*, XII, 272, 301, 307, 330, 339, 342.

ficers and other faithful inhabitants of the Commonwealth were therefore required to assist the Board of Enquiry in its operations. Horses belonging to Quakers and Loyalists were seized for the use of the army; the houses of persons suspected of disloyalty to America were searched for arms and, in order to facilitate the collection of provisions, an embargo was laid on all outward-bound vessels, except those in the service of France. The immediate occasion of these rigorous measures is to be found in a sudden invasion of New Jersey by the British.⁸

A committee of Friends presented a memorial to the Assembly of 1780, complaining of laws detrimental to their liberties and privileges and explaining that they were restrained by divine ordinances from complying with "tests and declarations to either party" engaged in actual war. The memorial also stated that members of the society had suffered abuse and that some of them had been subjected to oppression by public officials, especially in the enforcement of the militia law. The committee of the Assembly, to which this communication was referred, formulated a series of questions designed to call forth from the Quakers an expression of their sentiments towards the State, and received a reply thereto which the committee characterized as "an evasion of the questions proposed." As the Assembly paid no further attention to the matter, the Quakers soon adopted an address in vindication of their political course.⁹

The Tories, however, were not treated with such leniency by the Executive Council, which admitted to surety, imprisoned, or sent within the enemy's lines suspicious persons; sentenced several to be hanged who were charged with enlisting in the British service, and was responsible for the execution of David Dawson of Chester on December 25th for visiting Philadelphia while in Howe's possession. Phineas Paxton, an inn-keeper of Bucks County, who was tried on the same date with Dawson (June 27th) for aiding in the escape of British prisoners, was forbidden to keep a tavern any longer, required to furnish a bond of £30,000, or more, and was committed to prison until he should comply with these conditions. The next two cases, which arose nearly a fortnight after Paxton's, gave the Council the opportunity of exercising its power of pardon, newly bestowed by act of the General Assem-

⁸ *Colon. Records of Pa.*, XII, 272, 301, 307, 330, 339, 342, 383, 384; Scharf and Westcott, *Hist. of Phila.*, I, 410, 411.

⁹ Scharf and Westcott, *Hist. of Phila.*, I, 411.

bly, and apparently first employed in behalf of Edward Greswold ("Grizzle") and John Wilson, two youthful deserters from Captain Jacob James's troop of Philadelphia Light Dragoons, who had returned, like others who had enlisted under Howe's proclamation, surrendered themselves, and received sentence of death. Later, however, they were fully restored to their former standing as acceptable citizens of the State.

In November it was discovered that a number of inhabitants of Philadelphia, together with certain persons in New Jersey and New York City, were carrying on trade with refugees in the latter place. Lumber was shipped in vessels sailing from Philadelphia with two sets of clearance papers. On arriving at New York the lumber was sold, and the goods purchased with the proceeds were sent to Shrewsbury, N. J., and then were secretly conveyed to Philadelphia. That such trade had been going on for some time appears from a statement published in the *New Jersey Gazette* of Trenton, under date of January 20, 1779. This statement declared that on January 2d a certain Joseph Castle had been apprehended at Mansfield on his way to the enemy in New York, *via* Shrewsbury, without any passport, and was committed to jail in Burlington; that Castle had a number of letters from Tories in Philadelphia to their friends in New York, some of which showed that a constant correspondence was maintained and traffic carried on between refugees in New York and disaffected persons in New Jersey and Pennsylvania, chiefly by way of Shrewsbury where, as a matter of fact, a considerable number of Tories resided. The statement closed with an admonition to magistrates and others to examine suspicious persons traveling to and from Shrewsbury. Notwithstanding this public warning, the Supreme Executive Council did not apprehend some of the participants in it until late in November, 1780, when eleven of these culprits were given a hearing. A few of them were sent to New Jersey for trial; several more were released on bail, and the others were imprisoned. Among those arrested were Joseph Stansbury, who was allowed to go to New York with his family, as we have already seen; Joshua Bunting of Chesterfield, N. J., who kept the stage-house where the agents of the traders stopped, and James Steelman, John Shaw, and William Black, captains of vessels engaged in the trade. The discovery of this long-continued conspiracy resulted in the forming of a "Whig Association," for the purpose of suppressing all intercourse with Loy-

alists and suspected persons, and many military officers served on the executive committee of the new organization.¹⁰

Meantime, considerable damage was being inflicted on the commerce of the city by the operations of Tory privateers in Delaware Bay and River, despite the efforts to prevent it by sending out several pilot boats, a Continental packet, and one of the State galleys.¹¹

Notwithstanding the Council's unremitting measures in regard to returned and absent Loyalists, that body found its authority over such persons jeopardized by petitions and resolutions addressed to the Assembly, which it claimed were calculated to rescind its decisions. It therefore sent a message to the House, March 27, 1781, in which it denied any desire on its part to restrict the liberty and liberality of the Assembly in the way of special legislation to annul executive proceedings, but ventured to suggest that such legislation necessarily tended to "lessen the weight of the Council," disturb the harmony of government, and would "eventually injure the real interests of the State." It urged that a better way would be to repeal laws openly and explicitly if they were too severe, or reduce the powers of the Council if they were too extensive; and it concluded by asking for a conference with the House. We can only surmise that the result of this conference was in keeping with the views of the Supreme Executive Council, for its authority does not seem to have been materially lessened.¹²

In November of this year a plot to steal away the secret journals and other papers of Congress was discovered. The execution of this plot, which had been concocted by Benedict Arnold, was undertaken by Lieutenant James Moody of the first battalion, New Jersey Volunteers, one of the most daring Loyalists in the King's service, together with his brother, John Moody, and Lawrence Marr. These men had an accomplice in Addison, an Englishman, who was an assistant to the secretary of Congress. While waiting concealed in a house on the Delaware, Lieutenant Moody accidentally learned that his ally had betrayed the plot; that his associates were already taken, and that a party of soldiers had crossed the river in search of him. Managing to escape up the Delaware

¹⁰ *Colon. Records of Pa.*, XII, 401, 419; Scharf and Westcott, *Hist. of Phila.*, I, 412, 413; *N. J. Archives*, 2d Ser., III, 33, 34, 89, 94, 368.

¹¹ Scharf and Westcott, *Hist. of Phila.*, I, 413.

¹² *Colon. Records of Pa.*, XII, 675.

in a small boat, he succeeded in reaching the British lines after a week's time. His brother was hanged on the Philadelphia common before the end of the month; but Lawrence Marr was respited and afterwards released.¹³

The arrest of the Loyalists engaged in the illicit traffic with New York City, which was effected at about the same time that John Moody was executed, did not suffice to put an end to the intercourse between New York and Philadelphia. That intercourse continued, indeed, during the year 1782, being carried on by means of wagons with false bottoms and sides, in which 800 pounds of goods could be stowed away. Articles for shipment were also placed in kegs, which were then hidden in barrels of cider and thus carried to their destination. By a law passed in September "for the more effectual suppression of intercourse and commerce with the enemies of America" British goods were declared contraband and liable to forfeiture, while the importer was punishable with three months' imprisonment."¹⁴

For some time small groups of Pennsylvania Loyalists had been carrying on predatory warfare in the southeastern part of the State. These bands of "robbers," which were well mounted, committed their depredations with such boldness and success that both the Supreme Executive Council and the Legislature were moved to take action against them. On July 17, 1782, the Council, having received information that Thomas Bulla, Stephen Anderson, and John Jackson, three inhabitants of Chester County who had been attainted, were writing letters to various citizens, threatening to burn their houses and effects, issued a proclamation offering a reward of £50 in specie for the arrest and imprisonment of Bulla and of £20 each for the incarceration of the other two. Some months later Gideon Vernon, another attainted Loyalist, returned to Chester County and was harbored by John Briggs, who was sentenced to pay a fine of £50 and suffer imprisonment for a season. On June 3, 1783, however, the Council decided—on petition from Briggs—to remit his term in jail, on condition that he furnish security for the payment of his fine, in addition to the fees and costs of the prosecution and for his good behavior during the next three years. The names of Vernon and Bulla, together with

¹³ *Narrative of James Moody*; Sabine, *Loyalists of the Am. Rev.*, II, 48, 95, 97; *Laws of Pa.*, II, 379; Scharf and Westcott, *Hist. of Phila.*, I, 419.

¹⁴ *Ibid.*, 424.

those of the notorious Doane brothers of Bucks County and eleven others, appear in a proclamation of the Council, dated September 13, 1783, which quotes a special act of the Assembly authorizing their speedy arrest and punishment as persons who have been duly attainted with complicity in these crimes. As the act offered a reward of £300 each for the delivery of the offenders to the sheriff of any county in the Commonwealth, and also a reward of £50 for the discovery of any one who had aided or comforted them, or had received booty stolen by them with the knowledge that it had been stolen, the Council ordered all judges, justices, sheriffs, and constables to make diligent search for the offenders and their abettors. This order and the liberal rewards offered were efficacious, at least in so far as the Doanes were concerned; although Israel Doane had already been captured and put in jail in the previous February. A petition, which he addressed to the Council for release, on account of the destitute condition of his family and his own sufferings, was dismissed. In September, 1783, Joseph Doane, the father of Israel and his brothers, was in the Bedford County jail. In October, 1784, Aaron Doane was under sentence of death at Philadelphia, but was pardoned by the Council in the following March. Abraham and Mahlon, two other brothers who were mentioned in the proclamation, paid the full penalty for their depredations: they were hanged in Philadelphia. Moses Doane was shot and killed by his captor after a desperate encounter. Joseph Doane, Jr., while on one of his raids, was severely wounded and taken prisoner, but escaped from jail and crossed into New Jersey. There he lived under an assumed name for nearly a year, without giving up his former employment. At length he fled to Canada. Sabine tells us that "several years after the peace, he returned to Pennsylvania—'a poor, degraded, broken-down, old man'—to claim a legacy of about £40, which he was allowed to recover, and to depart."¹⁵

When the contents of the preliminary treaty of peace became known at the end of the revolutionary struggle, the more violent Whigs were much dissatisfied with the provisions according Loyalists the right to go to any part of the United States and remain there for twelve months, while forbidding their persecution or the future confiscation of their property. On May 29, 1783, the militia gathered at the State House and adopted resolutions against per-

¹⁵ *Colon. Records of Pa.*, XIII, 388, 590, 687-690; Sabine, *Loyalists of the Am. Rev.*, I, 381-388.

mission being granted to Tory refugees to return, or remain among Americans who had been faithful to their country; announcing the militia's determination to use all means at command to prevent them from doing so, and expressing a readiness to join with others in sending instructions to their representatives in the Assembly. The resolutions further declared that persons "harboring or entertaining those enemies of the country ought to feel the highest displeasure of the citizens," and called for a town meeting to decide on the method of instructing representatives and such other measures as might appear necessary, and for the appointment of a committee to carry the purpose of the assemblage into effect.

Accordingly, a general meeting of citizens was held at the State House, June 14th, and resolutions of the same general tenor as those adopted by the earlier meeting were agreed to, but with an added clause pledging those present to use every method "to expel with infamy" those refugees who had presumed, or should in future presume, to return, while authorizing a committee to publish their names in the city papers and see to the execution of the resolutions. The meeting asserted its decided conviction that "the restoration of estates forfeited by law" was "incompatible with the peace, the safety, and the dignity of the commonwealth." After the committee had served peremptory notice on a few returned Loyalists, earnest remonstrances were made against its action, which was criticized as being repugnant to the treaty of peace; but no attention was paid to them by the committee.¹⁶

In truth, more compassion was shown to attainted Loyalists by the Supreme Executive Council than was manifested to these unfortunate refugees by a committee whose only powers were derived from an unauthorized mass meeting.

¹⁶ Scharf and Westcott, *Hist. of Phila.*, I, 427, 428.

CHAPTER VIII

THE PARDON OF ATTAINTED LOYALISTS BY THE SUPREME EXECUTIVE COUNCIL, 1780-1790

As we have already noted, attainted Loyalists were first pardoned by the Council in July, 1780. The clemency exercised in behalf of Frederick Buzzard, February 13, 1784, was of lesser degree, for he had been convicted in Chester County of nothing worse than aiding British prisoners to escape, and had been fined therefor. A third of the amount imposed having been already paid by Mr. Buzzard or his friends, the Council relented on appeal and remitted the remainder. During the next five years the names of eight attainted persons appear in the minutes of the Council as those of applicants for the mercy and forgiveness of that body. In the case of the first two of these persons the action taken was to suspend the attainder until the next session of the General Assembly. In the case of the next five petitioners, full personal pardon was granted, but this does not appear to have carried with it the restoration of confiscated property in a single instance. In the last case contained in our list leave to withdraw the petition was granted, the Council being averse to considering the applicant's claim for a pardon.

Taking up these cases in their order, we shall consider their special features. The first petition in our series was one signed by various inhabitants of Philadelphia in behalf of Matthias Aspden, a former merchant of the city, who had abandoned a business that brought him a profit of £2,000 annually, gone to New York, and sailed in 1776 for Corunna, Spain, on his way to London. Nine years later Mr. Aspden had returned, and his friends had undertaken to secure a pardon for him, although he is said to have hastened back to England on finding that his life was in peril. The petition in his behalf was first read in Council, November 14, 1785; but it was not acted upon until January 19th of the following year, when Mr. Aspden was reprieved until the next session of the Assembly. In April, 1786, this latter body seems to have granted him a full pardon. However, he did not recover his house, wharf, and warehouses in Philadelphia, which had

been confiscated by the State, April 1, 1781, and which were given to the university. Despite his pardon, Mr. Aspden did not remain in America; in 1802 he was in France; in 1804 he was traveling in Italy; in 1815 he was at New York, and in July, 1817, he left Philadelphia for England by way of Canada. He died in London, August 9, 1824, leaving a will which Sabine says gave rise to the most extraordinary suit ever instituted under the confiscation acts of the Revolution. It was not finally decided until in 1848, when his American heirs secured a decree in the United States Circuit Court that gave them property valued at more than \$500,000. This decree was sustained by the Supreme Court against the appeal of the English claimants.¹ John Potts who, like Matthias Aspden, was granted a reprieve until the Assembly should have a chance to act on his case, was, as we already know, one of Sir William Howe's magistrates of the police at Philadelphia, having served earlier as a judge of the Court of Common Pleas. After retiring to New York he had been attainted in 1779, and at the peace he probably went to Nova Scotia as a refugee settler. His application for a pardon was favorably considered by the Council on May 26, 1786.²

Of the group of five Loyalists whose requests were fully accorded, it may be remarked in general that none of them was as prominent or influential as either of the two who had received at the hands of the Council only suspension of sentence. Moreover, the first of the five, Thomas Gordon, put forward the claim that he was under lawful age at the time of his attainder, and he asked only that the Council would institute process in the Supreme Court of the State to determine the validity of its sentence in view of the fact alleged. Gordon's petition was finally granted, November 26, 1787, after the lapse of seven and a half months from the time of its presentation.³ The second petitioner in this group was Robert Cunard of Norristown, Montgomery County, who, like hundreds of his fellow-Pennsylvanians, had joined the British army in 1777. His application was read and concurred in, June 1, 1789. While there was nothing unusual about the career of Mr. Cunard, he left descendants in the persons of his grandsons, the offspring of his son Abraham, a merchant at Halifax, who later became widely

¹ *Colon. Records of Pa.*, XIV, 34, 578, 625; *Sabine, Loyalists of the Am. Rev.*, I, 186-190.

² *Colon. Records of Pa.*, XV, 26; *Sabine, Loyalists of the Am. Rev.*, II, 199.

³ *Colon. Records of Pa.*, XV, 177, 338.

known as the Brothers Cunard, the founders of the Royal Mail Steamship Line.⁴ The third applicant in this group was John Wilson of Bucks County, who submitted reasons in his petition why he should be granted a pardon in so far as respected his person only. On hearing this document read, the Council voted "that the said John Wilson be and he is hereby pardoned." A similar action was taken, February 6, 1790, in favor of the fourth petitioner in our list, namely, Arthur Thomas of Philadelphia, who represented that he had "behaved himself peaceably" since his attainder and that he was desirous of returning to Pennsylvania. The fact that Mr. Thomas was recommended to the mercy of the Council by a number of respectable citizens seems to have carried weight with the board, whose secretary not only mentions the recommendation in the records, but also notes that the resolution granting pardon was adopted unanimously. This petitioner, however, did not remain at Philadelphia permanently. In May, 1786, he was living in Wilmington, Del.⁵ The last member of this group was John Rankin, who settled at the conclusion of the war in the Quaker colony at Pennfield, N. B., the lands of which he helped to select, being one of the three agents sent from New York City by an association of Pennsylvania Quakers for the purpose. The vicissitudes which this colony passed through in 1787 and the years just following served to disperse many of the settlers at Pennfield, among them being John Rankin, whose petition must have expressed a deep desire of his heart, when he asked to be restored to the rights of citizenship in Pennsylvania. The Council acceded to his prayer on March 9, 1790.⁷

Thus far the Supreme Executive Council had not failed to give a favorable answer to the petitions for pardon that had been submitted to it by relenting or disappointed Loyalists. Finally, however, came the most surprising petition of all, that of the former arch Tory of Pennsylvania, Joseph Galloway, who, after his retirement to England, had stood forth as the irrepressible champion of American Loyalism in his criticisms of the campaigns in the Middle Colonies, in his elaborate discussion of the provisions relating to the Loyalists in the treaty of peace, in his manifold

⁴ *Colon. Records of Pa.*, XVI, 107; Sabine, *Loyalists of the Am. Rev.*, I, 246.

⁵ *Colon. Records of Pa.*, XVI, 118.

⁶ *Colon. Records of Pa.*, XVI, 278; *2d Rep., Bur. of Archives, Ont.*, (1904), Pt. I, 618.

⁷ *Vide post*, p. 102; *Colon. Records of Pa.*, XVI, 297.

services as agent for his fellow-sufferers, and in his correspondence with many Loyalists who continued in America. So far as one can judge from the entry in the Council's minutes, Mr. Galloway's petition, which was presented by his attorney, Thomas Clifford, was terse and formal, contenting itself with "stating the attainder of the said Galloway of high treason, and praying that Council would be pleased to grant him a pardon of the said offense." It was read the second time on May 18, 1790, "when on motion of the Vice President [George Ross, Esq.], seconded by Mr. [Richard] Willing, it was *Resolved*, That Mr. Clifford have leave to withdraw the said petition." Technically, then, Mr. Galloway's application was not refused: it was withdrawn, and its author remained in England until the time of his death in 1803.⁸

It was probably sometime after this action that a proposal was offered in Council to bestow a general pardon upon such as still rested under the State's proscription. But by a vote of December 3, 1790, the "further consideration" of this motion was postponed until the 7th of the same month, and when that date arrived the consideration of the motion was again postponed. It is more than possible that the recollection of Mr. Galloway's petition was enough to dampen any generous impulses the Council may have felt towards granting amnesty to the mass of offenders who were as yet unpardoned, and that it still preferred to deal individually with such cases as might arise from time to time.

Notwithstanding the popular resentment against Loyalists returning to or remaining in Philadelphia after the peace, many did nevertheless remain, and some did return, besides those who took the precaution to provide themselves with pardons. Of those who continued to reside in Philadelphia Edward Shippen, LL. D., is a notable instance. As we have already seen, his daughter was expelled from the State as the wife of Benedict Arnold, after the latter's treason. Mr. Shippen, however, was not only permitted to remain, but was elevated to the chief justiceship in 1799. This appointment was held by him until his death in 1806. Another of those who found it possible to see the Revolution through without withdrawing from the city was the quaint teacher of Greek and Latin in the Friends' Academy, Robert Proud. He is described as having

⁸ *Colon. Records of Pa.*, XVI, 368; *Pa. Mag. of Hist. and Biog.*, Vol. XXVI (Dec. 1902), 438; Sabine, *Loyalists of the Am. Rev.*, I, 464-466.

worn a curled gray wig and a half-cocked hat above a Roman nose and a "most impending brow;" and his letters to his brother show him to have possessed "high Tory feelings." He is best remembered by his *History of Pennsylvania*, a work in two volumes, which was published in 1797 and 1798. He died in 1813, at the age of eighty-five years. Christopher Sauer, Jr., the Tory printer of Germantown who left with the British at the evacuation of Philadelphia, came back later and died near the city in August, 1784. John Parrock, who had formerly been a resident of the Quaker City, returned from New York when the British troops and their thousands of Tory adherents left there in 1783; and although he bore the stigma of attainder and his property had been confiscated, he remained until March, 1786, when he proceeded to Halifax. The fact that Chief Justice Benjamin Chew was sent into temporary exile for refusing to sign a parole in 1777 did not prevent his entering the State again after passing through that disagreeable experience, nor did it prevent his being appointed president of the High Court of Errors and Appeals in 1790. He continued to serve in this capacity until the tribunal over which he presided was abolished in 1806, which was only four years before his death. Governor John Penn, who was Mr. Chew's associate in exile, was supplied with passports to New York for Mrs. Penn, himself, and their attendants on April 17, 1783. Whether they were on their way to England at this time does not appear, although it is probable that they were. If so, Mr. Penn returned later; for he died in Bucks County in 1795. The Reverend Jacob Duché, who spent the years of his banishment in England, recrossed the ocean in 1790 and appeared in Philadelphia shattered in health, although he survived until 1798.⁹

During 1784 the General Assembly was more or less occupied in considering proposals to abolish the "test laws." A petition for their repeal was presented in March, but was laid on the table by a vote of thirty-seven to twenty-seven. A resolution introduced in September stated that numbers of young men, who had arrived at eighteen years of age since the passage of the laws, had not taken the oaths of allegiance, and were thus being deprived of their citizenship. It called for a law to remedy this condition of affairs, and was supported by a petition from non-jurors for admission to political and civic rights. In the course of the discussion that fol-

⁹ Sabine, *Loyalists of the Am. Rev.*, II, 612, 202, 626, 168; I, 207, 265; *2d Rep., Bur. of Archives, Ont.* (1904), Pt. I, 669; *Colon. Records of Pa.*, XIII, 561.

lowed a resolution was offered in favor of denying the privilege of holding salaried office to citizens who had voluntarily joined the British army, or been convicted of aiding or abetting the King. This resolution was adopted by a vote of forty-six to four. On September 25th a new proposal came up for passage. This was that the test laws be so amended as to entitle all white male inhabitants who had not subscribed, to take the oath under the act of June 13, 1777, and thus become free citizens, but that no person should be eligible to office until he had also taken the oath prescribed in the act of December 5, 1778. This measure was carried by a vote of twenty-nine yeas to twenty-two nays. Three days later the speaker cast the deciding vote in favor of a motion to take up a bill entitled "A further Supplement to the Test Laws," and nineteen members left the Assembly, which was thus deprived of its quorum. The seceders justified their conduct by declaring in an address to the public that improper methods had been employed to force the bill through and insisting that those who had not participated in the toils and sufferings of the Revolution should not share in its benefits. The speaker of the Assembly and other advocates of the revision of the test acts urged in reply that legislation for the relief of non-jurors was necessary, both in order to enfranchise those who had been too young to subscribe to the test act of 1779 and the older men who had been unoffending neutrals during the war and had paid their full proportion of its expense. They estimated that nearly one-half of the inhabitants of Pennsylvania had been deprived of the rights of citizenship by the law of 1779, and added that there could be no danger of any abuse by extending the law since, under its provisions, no person who had joined the British army or had been convicted of aiding and abetting the King was eligible to office.

This question became one of the issues in the election, which was held in October, and the voters in the City and County of Philadelphia, as probably also in other parts of the State, chose candidates for the Assembly who were opposed to the extension of the rights of citizenship to the non-jurors. In December General Anthony Wayne led in the struggle to amend the test laws, adducing as his chief argument that they were depriving of representation many inhabitants who were, nevertheless, subject to taxation, but his amendment was postponed; and a subsequent motion to instruct a committee to report a bill revising the test

laws was lost by a vote of eleven ayes to forty-seven nays. Similar efforts during 1785 also ended in failure, although, according to a local historian, the law of 1779 operated with such severity in certain districts of the State that "the number of free men who were entitled to all privileges of citizenship was not sufficient to administer the local government."¹⁰

Despite this serious condition of affairs, a new test act was passed, March 4, 1786, because—in the words of the act itself—"many of the inhabitants" had failed to subscribe to one or another of the oaths contained in the earlier acts within the times specified, thereby depriving themselves of the privileges of citizenship, and also because it was thought that not a few of the non-jurors would now be willing to testify to their allegiance, since independence was an established fact. It was therefore enacted that non-jurors might take a new test before a justice of the peace of the district in which they lived. The subscribers had to swear or affirm that they renounced all allegiance to King George III., his heirs and successors, that they would bear true faith to Pennsylvania as a free State, and that they had never voluntarily joined or assisted the King, his generals, fleets or armies, or their adherents. Another section of the law declared that no benefit from its provisions should extend to any person attainted of high treason, nor to any one who had "joined, assisted, or countenanced the savages in their depredations." Obviously, this last clause was aimed at that body of Pennsylvanians who had fled during the war to Fort Niagara and Detroit from the Susquehanna and upper Delaware valleys and from Pittsburgh, respectively, and had thereafter coöperated with the Indians in raids against the frontiers. But the new law, although it was enacted three years after the end of the Revolution, failed likewise to show any leniency to the much larger number of Loyalists who, under the stress of circumstances, including persecutions, had sought safety within the enemy's lines, not to speak of those who had enlisted in the royal service. It should be noted that Robert Morris had sought to mitigate the severity of the law by offering two motions, one to strike out certain words describing the new oath as one of "abjuration," and the other to omit the clause in regard to aid rendered to the King, or his generals, fleets, and armies; but both of these motions were lost. The law, therefore, as passed, left no loophole by which unrelenting Loyalists,

¹⁰ Scharf and Westcott, *Hist. of Phila.*, I, 435-436, 439, 440.

whether still within the State or desiring to return to it, might become citizens.¹¹

The test law of March 4, 1786, remained in force a little over a year, when it was at length amended, March 29, 1787, about in conformity with the ideas of Robert Morris by the substitution of an oath that was doubtless far less objectionable to the Loyalists. The explanation offered for this action was that the abjuration of the King was no longer effectual, since he had formally renounced the allegiance of the inhabitants of the United States, that many useful citizens were disqualified by their scruples against taking the test as it stood, and that it was impolitic to deprive the community of their allegiance. Henceforth, therefore, the subscriber would only be required to swear to his allegiance to Pennsylvania as an independent State and to abstain from doing anything injurious to the freedom thereof. Those consenting to subscribe to this simple oath were declared free citizens.¹²

It was not, however, until March 13, 1789, that the Assembly reached the point where it was prepared to annul the entire series of test acts, including even that mentioned in the preceding paragraph. All these laws were now declared to be repealed and all non-jurors to be restored to citizenship.¹³

That the animosities between Whigs and Tories were still capable of revival was shown later in the same year in connection with the opposition arising between factions in two Scotch Presbyterian congregations of Philadelphia over the question whether the Associate Presbytery of Pennsylvania should remain subject to the Synod of Edinburgh. One of these factions besought the Assembly for a law annulling this relationship in so far as it concerned the holding of the local church property. The other or Tory faction was opposed to such a measure. Nevertheless, a law was enacted in September, which canceled the declaration of trust between the local presbytery and the parent synod to the extent of releasing the former from subjection to a foreign jurisdiction. As the opposing faction comprised men of influence in Philadelphia, it had been able to delay the passage of the law for several months; and even after the measure had been enacted by a proportionate vote of three to one, this faction attempted in Novem-

¹¹ *Statutes at Large of Pa.*, XII, 178-181.

¹² *Ibid.*, 473-475.

¹³ *Ibid.*, XIII, 222-224.

ber to induce the Legislature to repeal the act, although without success. While the question at issue was strictly sectarian in character, its political implications aroused general interest and discussion in the city.¹⁴

¹⁴ Scharf and Westcott, *Hist. of Phila.*, I, 442.

CHAPTER IX

THE SALE OF FORFEITED ESTATES

Since the close of October, 1777, the estates of those who had gone within the British lines had been subject to confiscation by the commissioners of the various counties appointed for the purpose, and some estates had been seized. A register of these was kept by the secretary of the Supreme Executive Council, who was at length ordered by that body, April 12, 1779, to give notice that the realties of thirty-seven persons who were named and of others not named would be "speedily sold by public auction or vendue." Of those whose names were given, fourteen had been citizens of Philadelphia, including Joseph Galloway, Andrew Allen, William Allen, Jr., Jacob Duché, Samuel Shoemaker, and John Young, gentleman; six had been inhabitants of the County of Philadelphia, including John Potts of Pottsgrove, Christopher Sauer, a printer of Germantown, and Henry Hugh Ferguson, Esq., of Graeme Park, late commissary of prisoners for General Howe; three of Bucks and Lancaster counties, respectively; four of Chester County; two of York County; one of Northampton County; two of Trenton, N. J., namely, Peter Campbell, gentleman, and Isaac Allen, attorney at law, and Andrew Elliott, Esq., of New York City.¹

During August and September, 1779, the Council found it necessary to postpone certain sales until after the next session of the Supreme Court of the State, in order that particular claims or liens upon the properties in question, or certain petitions relating thereto, might be passed upon. The first deed was issued under date of August 5th of the year just named. Early in the following March the Council adopted a resolution that the agents for confiscated estates proceed to the sale of all estates held by attainted persons by less than fee simple title, whether through right of marriage or otherwise, since such estates were proving burdensome to the State. Eight days later (*i. e.*, on March 18th,) the Council appointed a standing committee from among its own members to fix the exact times of sales and of payment previous to the signing

¹ *Ante*, pp. 16, 92; *Colon. Records of Pa.*, XI, 745.

of any deed, because purchasers had been taking advantage of the depreciation of money by neglecting to comply with the conditions of sale, namely, to pay one-fourth of the purchase money in ten days, and the remainder in one month from the time of the sale "to the great injury of the State, and the embarrassment of the sales."²

During the nine months since sales of the confiscated estates had begun, they had not been numerous: from August 5 to November 29, 1779, inclusive, there had been but ten sales, three being of properties in Philadelphia, four in the county of the same name, one in the County of Chester, and two in the County of Northampton. Results during the first four months of 1780 were but little better, there being only twelve sales during this interval, namely, two of estates in Philadelphia, seven in the County of Philadelphia, and one each in the counties of Chester, Bucks, and Lancaster. The Council was not satisfied with this showing, especially in the two Philadelphia districts, where it looked as though certain marketable properties were being held back. On May 8, 1780, this dissatisfaction manifested itself in the form of instructions to the agents for the City and County of Philadelphia to proceed to the sale of all forfeited estates within their respective districts, giving due notice thereof according to law. Four days thereafter this order was extended to all the counties, any former order of the Council to the contrary notwithstanding. Sales then continued without official interruption until November 11th, when they were suspended by action of the Council until further notice. However, deeds were again being issued to purchasers at the end of another fortnight. On February 21, 1781, all agents were requested to render a full return of all forfeited estates within their several counties, the names of attainted persons, their real property, the names of purchasers, and the prices at which sales had been made. Eight and a half months later a supplementary report was called for concerning all forfeited estates remaining unsold and the interest held therein, whether in fee simple or otherwise, by the persons who had forfeited them. The only return recorded in the minutes of the Council under this request appears to have been that of Robert Smith, agent for the City of Philadelphia, who reported but three properties in his district. Sales were still in progress as late as December, 1790, up to which time properties of seventy-five per-

² *Colon. Records of Pa.*, XII, 73, 76, 77, 80, 82, 103, 273, 281.

sons had been disposed of, and 136 or more deeds had been issued. The names of the attainted owners appearing most frequently in the records of sales listed in the Council's minutes are those of Andrew Allen, Joseph Galloway, Samuel Shoemake, Christopher Sauer, Alexander Bartram, John Parrock, and John Rankin.³

A number of the confiscated estates, however, are not listed in the records of sales, for they were appropriated, as we have already seen, to serve as sources of endowment for the University of Pennsylvania. Two properties were similarly appropriated to be used as residences of State officials: thus, the house and lots of Joseph Galloway at the southeast corner of Sixth and Market streets were taken over by act of March 18, 1779, for the benefit of the president of the Supreme Executive Council, while the large mansion of the Reverend Jacob Duché at the northeast corner of Third and Pine streets became the domicile of Chief Justice McKean. Later the property of Mr. Galloway ceased to be occupied and fell rapidly into a state of decay. By act of April 6, 1786, therefore, the Legislature ordered the Executive Council to advertise it for sale.⁴

In this connection certain cases of confiscation may be mentioned on account of their exceptional character. Proceedings against the estate of Raymond Keen, who presented himself before the chief justice within the time specified and was discharged from prosecution, were declared null and void on his petition to the Assembly. The special act relating to Keen's case restored to him such of his lands and tenements, rights, and credits as had not been sold by the Commissioners for the Sale of Forfeited Estates. The estate of Henry Hugh Ferguson was transferred by legislative authorization of April 2, 1781, to his wife, Elizabeth Ferguson. A preliminary statement is needed to make clear the case of Thomas Gordon. Gordon was a minor in 1778, when he was placed by his mother on board a British vessel in the port of Philadelphia, against his own inclination. As he was still absent from the country on August 5, 1779, by which time he should have presented himself for trial under a proclamation of attainder, his estate was confiscated. Later he returned to Philadelphia and applied to the Assembly for the restoration of his property, and his

³ *Colon. Records of Pa.*, XII, 341, 347, 589, 634; XIII, 106, 141; XIV, 56, 657, 665; XV, 4, 14, 43, 185, 193, 230, 468, 648; XVI, 283, 299, 309, 320, 387, 390, 422.

⁴ *Laws of Pa.*, II, 204; 226; Scharf and Westcott, *Hist. of Phila.*, I, 396, n. 3.

petition was granted by act of March 29, 1788. It was afterwards discovered, however, that the commissioners had disposed of his estate; and on September 27, 1791, the Assembly directed the comptroller general to give Gordon a certificate for the money received by the State on account of the sale of his property, including interest at the rate of six percent from the date of sale.⁵

⁵ *Laws of Pa.*, II, 216, 217, 287; Sabine, *Loyalists of the Am. Rev.*, I, 597; *Statutes at Large of Pa.*, XIII, 67, 68; XIV, 140, 141.

CHAPTER X

THE EMIGRATION OF PENNSYLVANIA LOYALISTS

I. FLIGHTS TO ENGLAND

The first Loyalists so far as known to leave Philadelphia for England were Richard Penn and Judge Samuel Curwen, both of whom took their departure in 1775. The latter remained in the mother country until the end of July, 1784, when he sailed for Boston, Mass., where he arrived on the 25th of the following September. He spent the remainder of his days in his native land. Mr. Penn had been governor of Pennsylvania from 1771 to 1773, and had then served as a member of the Council and as a naval officer of the Colony under his brother, Governor John Penn; but on returning to England, he was entrusted with the second petition of Congress to the King. He died in Britain in 1811. It was reported that the Reverend Jacob Duché sailed from Philadelphia in December, 1777. As he had acted for three months as chaplain to the first Continental Congress, he seems to have felt the need of conciliating his ecclesiastical superiors in England. In the spring of 1780 he was followed across the water by his wife and children, who sailed from New York. Mr. Duché returned to Philadelphia in 1790, after an exile of twelve years. He died eight years later. The fugitive governor of New Hampshire, John Wentworth, stopped at the Quaker City early in 1778 on his way to London, where he arrived—according to Governor Hutchinson's *Diary*—on March 13th, after a passage of twenty-four days. A week later Mr. Hutchinson records that he received a call from his fellow-exile who, we may add, had been granted an annual allowance of £500 twelve months before by the Lords of the Treasury. When General Howe left Philadelphia on his homeward voyage about the middle of May, 1778, it was stated in one of the newspapers that he was accompanied by some of the refugees. This was probably true. At any rate, there were a few Pennsylvanians in London in July, 1779, at which time they signed an address to the King. Among them were Thomas Bank, Peter Biggs, Charles Eddy of Philadelphia, Jabez Maud Fisher, William Harris, and John Johnson. Joseph

Galloway sailed from New York for England with his only daughter in October, 1778, from which time he was paid, like Governor Wentworth, £500 per annum from the Treasury.¹ In London he told Governor Hutchinson, whose acquaintance he made early in the following December, that all Pennsylvania and New Jersey would have returned to their allegiance if the British army had not moved from Philadelphia, that they would still do so under a proper prosecution of the war, the past conduct of which he sweepingly condemned, and he expressed the opinion that the Middle Colonies were tired of the contest. On another occasion he mentioned to Hutchinson his having applied to General Howe, as soon as he had heard that Philadelphia was to be evacuated, to learn what was to become of the magistrates of the city, and said that Howe had advised them to make terms with General Washington under a flag of truce, but that Clinton had assured them that America would be vanquished and that their salaries should be continued to them. Galloway sought to convince the British authorities that less than one-fifth of his fellow-countrymen favored the Revolution, which had been strengthened by disarming and intimidating the Loyalists, that under adequate protection and assistance most of the people would openly support the royal government, and that more efficient measures would soon reduce America. In June, 1779, the House of Commons instituted an investigation into the American war, Mr. Galloway serving as one of the most important witnesses. His testimony was so damaging and dealt so severely with the operations of the commanding officers in America that the investigation was dropped. But Mr. Galloway continued the agitation through pamphlets and letters, the object of which was to convince the English people and government that the subjugation of America was not only feasible, but was also necessary for the maintenance of the British power in the world. When peace was made, another pamphlet was published by the distinguished refugee from Philadelphia, in which he examined unsparingly that clause in the treaty which related to the Loyalists. As agent for this class of war sufferers, he rendered valuable service, his daughter declaring that "for twenty years his morning room was often

¹ Curwen's *Journal and Letters*, 414, 415; Sabine, *Loyalists of the Am. Rev.*, II, 164; I, 890; *Pa. Mag. of Hist. and Biog.*, II, 68-73; *Diary and Letters of Thos. Hutchinson*, II, 192, 194; *Rep. on Am. Mes. in the Roy. Inst. of Gt. Brit.*, I, 94; *N. J. Arch.*, 2d Ser., II, 220; Sabine, *Loyalists* II, 164, 350, 388; I, 454; 2d Rep., *Bur. of Arch., Ont.*, (1904), II, 1169

crowded, and seldom empty of Americans who received from him his best services in their own affairs." Mr. Galloway died at Watford, Herts, England, August 29, 1803, in his seventy-first year.^a

It would be interesting to know something of the arrival of the several thousands of refugees from Philadelphia at New York, and what public provision was made for them in a city to which large numbers of such people had been resorting since the summer of 1776, when the British took possession of Staten and Long islands and of the neighboring metropolis. That special accommodations were necessary appears from the statement of David Mathews, the mayor of New York, who reported, August 25, 1783, that after the evacuation of Philadelphia and the second great fire in New York he was directed by General Clinton to proceed according to earlier orders for the purpose of providing for the distressed refugees, namely, "to grant, without fee or reward, permission to erect temporary habitations on the vacant lots of persons residing without the lines," Mr. Mathews adding that "the lots were held by the erectors of the tenements only during pleasure."^b

Among those Pennsylvanians who, like Galloway, withdrew to England from New York were some who, together with many of their fellow-countrymen from other States, waited until the evacuation of the metropolis was near at hand before doing so. A few among these were, on petition to the Treasury Board in London, granted financial support in substantial amounts. Thus, Samuel Shoemaker, Daniel Coxe, and John Potts, the former magistrates of police at Philadelphia, were given £200 a year each a little more than a year after their arrival in New York; and Arodi Thayer, who had been tide surveyor at Philadelphia, had his salary continued at the rate of £80 per annum. Inasmuch as the commander in chief was constantly being petitioned by Loyalist families in the city for relief in one form or another, especially from the spring of 1779 on to the fall of 1783, he constituted a committee or board consisting of Mr. Shoemaker, Colonel Beverley Robinson of New Jersey, and Robert Alexander of Maryland; and on October 2, 1782, he ordered "that all memorials cognizable by the Board which assembles at Mr. Shoemaker's may be sent there and proceeded on without a reference from Head Quarters." It was added that the

^a *Diary and Letters of Thomas Hutchinson*, II, 226, 259; *Pa. Mag. of Hist. and Biog.*, XXVI, 438, 439.

^b *Rep. on Am. Mss. in the Roy. Inst. of Gr. Brit.*, IV, 308.

people were to be sent there with their memorials. At the end of this year the quarterly allowances from September 30th which the Board recommended for various refugees totaled £1,075, or £1,410 New York currency. Not only did Mr. Shoemaker serve as a member of this board of relief, but he also interceded with the British admiral in behalf of Whig prisoners and was successful in having numbers of them liberated and sent home. At length, in August, 1783, he sailed for England with his son Edward. Before doing so, however, he sent word to the vice-president of the Council of Pennsylvania, that he would cheerfully surrender the papers relating to Philadelphia that were in his possession to any person authorized to receive them. While in London he was often consulted by the Commissioners appointed to settle the claims advanced by Loyalists for the losses they had suffered.⁴ If memorials and letters of recommendation from the commander in chief, Sir Guy Carleton, are an indication, not a few Pennsylvanians were preparing to follow Mr. Shoemaker to London in the autumn of 1783. Among these persons were Messrs. Potts and Coxe, who received letters of recommendation to Lord North bearing the date of November 13th. Another Tory who had been prominent in the life of Philadelphia, and who crossed the Atlantic after the peace, was James Humphreys, Jr., the former publisher of the *Pennsylvania Ledger*. However, he soon proceeded to Shelburne, N. S., but returned to Philadelphia in 1797, where he engaged in the printing and book publishing business until his death in February, 1810. His fellow-townsmen, Isaac Hunt, who, after being carted through the streets of the Quaker City by a mob, fled to the West Indies and took church orders there, removed later to England and became a tutor in the family of the Duke of Chandos. Mr. Hunt was the brother-in-law of the artist, Benjamin West, and the father of James Henry Leigh Hunt, who died in 1859, after winning renown as a poet and miscellaneous writer. The distinguished Philadelphia physician, Phineas Bond, who was one of the founders of the University of Pennsylvania and a professor in that institution, also appears to have retired to the mother country for a few years; but in 1786 he was appointed British consul for the Middle States. After some hesitation on the part of Congress,

⁴ *Rep. on Am. Mss. in the Roy. Inst. of Gr. Brit.*, II, 7; III, 125, 169, 186, 148, 221, 294, 422; Sabine, *Loyalists of the Am. Rev.*, II, 801.

he was received in his official capacity and continued as consul for many years.⁵

II. THE MIGRATION TO NOVA SCOTIA

Aside from this notable group of Pennsylvanians and temporary residents at Philadelphia who went to England, and for the most part remained there, a considerable number settled in Nova Scotia. Of these, many families found homes in the new Loyalist city of Shelburne. Sabine in his *Loyalists of the American Revolution* gives the names of more than four score men from Pennsylvania, most of whom received town lots there by grant of the government, on which they settled with their families. These grantees included some successful merchants, chiefly from Philadelphia, who had sustained larger or smaller financial losses as the result of the war: as, for example, Alexander Bertram, whose forfeiture was estimated at £5,000; William Briggs, who is said to have suffered to the extent of £3,000; Henry Guest, whose loss was placed at £1,000, and others, who had been injured in lesser amounts. Other men of prominence who took up their abodes at Shelburne were James Allen of Philadelphia, with his family of four persons; John Boyd, a surgeon from the Quaker City, and Benjamin Booth, one of its merchants, who acted as secretary of the loyal refugees in New York City in 1778. Lieutenant Colonel Abraham Van Buskirk with three other officers and a few privates of the 3d battalion of the New Jersey Volunteers settled in Shelburne, after leaving New York for that destination at the end of September, 1783. Colonel Van Buskirk was soon elected mayor of the town.⁶ That many of these men remained in affluent circumstances, despite their losses, is indicated by the fact that they did not leave their servants behind in removing to Nova Scotia. Other places, such as Halifax, Annapolis, Digby, Rawdon, Granville, Argyle, and Ship Harbor, appear to have made but slight gains in population from Pennsylvania. Among those who located in Halifax was Dr. James Boggs, who had been a member of the medical staff of the royal army during the Revolution, and was for many years after 1783 surgeon of the forces at the Nova Scotian capital. John Parrock returned from New York to Philadelphia

⁵ *Rep. on Am. Mss. in the Roy. Inst. of Gt. Brit.*, IV, 454, 435, 436, 446, 470; Sabine, *Loyalists of the Am. Rev.*, I, 554, 555, 535; II, 472, 473, 482-485, 488, *passim*.

⁶ *Rep. on Am. Mss. in the Roy. Inst. of Gt. Brit.*, IV, 375, 376; Sabine, *Loyalists of the Am. Rev.*, I, 235; II, 376; II, 482, 483.

at the close of the war, but in March, 1786, sailed for Halifax with the purpose of engaging in the whaling business.⁷

Of the Tory regiments which had been formed in or near Philadelphia parts of two are known to have located in Nova Scotia, namely, the Philadelphia Light Dragoons and the British Legion. The Legion had been organized under General Sir Henry Clinton's orders by Colonels Lord Cathcart and Bannister Tarleton in May and June, 1778; and in the winter of 1781 it appears to have absorbed the Philadelphia Light Dragoons. At the close of April, 1782, the Legion was stationed at New Utrecht near Brooklyn, L. I. It then numbered 471 men, of whom more than two-thirds were cavalry. At the end of September, 1783, about eighty of these men were still at Brooklyn, the rest having embarked earlier in the same month with Major George Hanger for Halifax. Port Mouton in Queen's County, N. S., was allotted to the British Legion, and a number of houses were at once erected there; but on the discovery in the following spring that the soil was barren and stony, the settlers began preparations for removal. They were interrupted, however, by an accidental fire, which destroyed the town and reduced them to the verge of starvation. The authorities at Halifax promptly despatched a vessel laden with provisions, thus averting the threatened famine. Most of the members of this disbanded corps removed at once to Chedabucto Bay at the eastern end of Nova Scotia, where they founded the town of Guysborough.⁸

III. THE MIGRATION TO NEW BRUNSWICK

Although Nova Scotia proper must have received at the evacuation of New York City and the neighboring islands in the fall of 1783 at least 800 former residents of Pennsylvania, the Province of New Brunswick (which was created in 1784) probably gained the larger share of these people; for most, if not all, of the Loyalist regiments which contained Pennsylvanians were disbanded and given crown lands in New Brunswick; and one large association of Pennsylvania Quakers settled together at Pennfield on the north shore of the Bay of Fundy. Sabine, who had the use of the original agreement among the founders of Pennfield, asserts that it was formulated in 1782. Presumably, it was under

⁷ *Sec. Rep., Bur. of Archives, Ont.* (1904), Pt. I, 129, 195, 196, 517, 518, 669, 687, 664, 665, 680.

⁸ *Rep. on Am. Mss. in the Roy. Inst. of Gr. Brit.*, IV, 249, 267, 275; Haliburton, *Hist. of Nova Scotia*, II, 143, 149.

this agreement that a meeting of Quakers was held at the house of Joshua Knight, 36 Chatham Street, New York City, on July 5, 1783, in order to decide some matters of importance in connection with their plans. At this meeting Samuel Fairlamb, John Rankin, and George Brown were appointed agents to locate lands for the association and to transact any business incident to the occupation of these lands. The agents soon submitted a memorial to Sir Guy Carleton asking the privilege of seeking lands for about sixty families on the River St. John, or elsewhere in that region where suitable ungranted lands might be had; and Carleton forwarded this document under date of August 9th to Governor John Parr at Halifax. The site selected was at Beaver Harbor, which lies north of the island of Grand Manan; and by October the new settlement was already in existence. One hundred and forty-nine lots were included in the original grant. That incoming settlers rapidly joined the colony is shown by the statement of a writer who, shortly after its foundation, estimated the number of its inhabitants at 800. According to an old plan in the British Museum, there were "fifteen streets and 950 lots in the town proper, with large tracts laid out in farm and garden lots beyond." The County of Charlotte, in which Pennfield was situated, was established June 4, 1785; and the Parish of Pennfield was erected in the following year. It was agreed to build a small meeting house, July 7, 1786, on ground allotted for that purpose. We are told that a fire devastated the town in 1787, which must have greatly increased the distress and want among the pioneers at Pennfield. About the time of the fire, however, partial relief was afforded through the efforts of two Quaker gentlemen from Philadelphia who had visited Beaver Harbor a twelvemonth before, and on their return home had raised a subscription with which they bought and shipped 240 barrels of flour and Indian meal, together with some other necessities, to be distributed among their destitute brethren. Possibly through the instrumentality of the same gentlemen donations were also received from persons in England during the winter of 1788-89. Whatever recovery Pennfield made from its first conflagration was wiped out by a forest fire in 1790, which left but one dwelling house standing. According to a recent writer, "a few of the inhabitants, including the family of Joshua Knight, remained or came back to rebuild their dwellings at or near the old sites"; but some of the settlers removed to Pennfield Ridge, others to

Mace's Bay, and still others went elsewhere. In June, 1803, the population of the Parish of Pennfield, which continued to consist of Quakers principally, numbered only fifty-four. This little community occupied a good tract of land and lived chiefly by farming, although it sustained two saw-mills and had recently launched two vessels of 250 tons burden each.*

We may now turn to the settling of the enlisted men from Pennsylvania, together with their families, in New Brunswick. After the cessation of hostilities the City of Philadelphia, which had been the scene of so much recruiting among the Tory residents and refugees during the British occupation, adopted the following resolution: "That the people of this town will at all times, as they have ever done, to the utmost of their power oppose every enemy to the just rights and liberties of mankind: That after so wicked a conspiracy against those rights and liberties by certain ingrates, most of them natives of these States, and who have been refugees and declared traitors to their country, it is the opinion of this town that they ought never to be suffered to return, but be excluded from having lot or portion among us. And the Committee of Correspondence is hereby requested to write to the several towns in this Commonwealth and desire them to come into the same or similar resolves if they shall think fit." The determination by the victorious party to exclude the Loyalists illustrated by the above resolution, although it was not consistently enforced even in Philadelphia, was prevalent throughout most of the States, and was recognized by the officers of the Loyalist regiments at New York.

These officers therefore submitted their case to Sir Guy Carleton in a letter dated March 14, 1783, saying that whatever stipulations might be made at the peace for the restoration of the property of the Loyalists and for their return home, yet, should the American States be severed from the British Empire, it would be impossible for those who had borne the King's arms to remain in the country. They maintained that the personal animosities arising from civil dissensions had been so heightened by the blood shed in the contest that the opposing parties could never be reconciled. They spoke of the personal sacrifices made by the

* Sabine, *Loyalists of the Am. Rev.*, I, 607; *Coll. N. B. Hist. Soc.*, No. 4, 78-80; *Rep. on Am. Mss. in the Roy. Inst. of Gt. Brit.*, IV, 269, 270; Winslow Papers, 490; Vroom, *Courier Series*, LXXII; Ganong, *Monograph of the Origins of the Settlements in N. B.*, 144, 158.

For some of the Pennsylvania Quakers who settled at Pennfield, see Sabine's *Loyalists of the Am. Rev.*, II, 514, 515, 525, 543, 550, 568, 569, 570, 579, 582, 583, 591, 592, 598, 597, 598.

Loyalists; of the anxiety they felt for the future of their wives and children; of the fidelity of the troops; and of the great number of men incapacitated by wounds, many of them with families who had seen better days. They therefore asked for grants of land in some of the royal American provinces and for assistance in forming settlements, in order that they and their children might enjoy the boon of British government. They also requested pensions for such non-commissioned officers and men as had been disabled by wounds and for the widows and orphans of deceased officers and soldiers, besides permanent rank and half-pay for the officers on the reduction of their regiments. This letter was signed by the commanders of fourteen provincial regiments; and its requests were all eventually complied with.¹⁰

Indeed, steps were taken within a month after the presentation of the letter looking to the location of the lands asked for by the officers, when several of the petitioners were themselves appointed agents to go to Nova Scotia for this purpose. These agents were Lieutenant Colonels Edward Winslow, Isaac Allen, Stephen DeLancey, and Major Thomas Barclay, who spent the spring and summer of 1783 in exploring the River St. John from St. Ann's Point (Fredericton) for about 100 miles upwards, completing their work and returning before the end of July. Winslow then secured authority at Halifax to lay out blocks of land for the several regiments, in keeping with the suggestions of Sir Guy Carleton that the allotments should be by corps and as near to each other as possible, with the officers' lands interspersed among those of the men so that the settlers might be united and ready for defense in case of an attack on the colony. These blocks were afterwards known as "the twelve mile tracts."

In August, 1783, the royal instructions relative to the disposal of the troops at New York arrived; and on September 12th Carleton ordered Lieutenant Colonel Richard Hewlett of the 3d battalion of DeLancey's Brigade to assume command of the principal British American regiments, which had already embarked nine days before at Brooklyn, having been encamped during the summer at Newtown, L. I., Hewlett was to accompany these troops, already considerably depleted through losses and departures with and without formal discharge, to the River St. John, and take the proper measures to get them promptly to the locations

¹⁰ Raymond, *The River St. John*, 531-532.

assigned for their settlement. They sailed with a quantity of necessary stores on the 15th, and on the day following, Brigadier General H. E. Fox and his military secretary, Edward Winslow, left for St. John to inspect the lands up the river and arrange for the reception of the regiments. According to the figures of the commissary general's office at New York, about 4,000 persons connected with the Loyalist regiments sailed for the St. John up to October 12th. Not less than 5,000 had embarked for the same destination earlier in the same year, and a small number went after the departure of the regiments, which arrived on September 27th. Three days later they disembarked and encamped above the Falls; and by October 13th they were disbanded for the most part, and were going up the river as fast as the scarcity of small craft on which they had to depend for conveyance would admit. In December the last of the transports from New York arrived, bringing a supply of clothing and provisions, in addition to her passengers, who were chiefly women and children.¹¹

Soon after their coming, the regiments drew for their blocks of reserved land, which were shown and numbered on a plan of the river prepared by the surveyor general of Nova Scotia; but as yet lots had not been surveyed for individual settlers. The tracts drawn by several of the regiments were too remote for their liking; the season was already far advanced, and the difficulty of transport was great. Hence, many of the disbanded officers and soldiers preferred to spend the winter at the mouth of the river, and not a few of them drew lots in the Lower Cove district of Parrrtown (St. John), which was laid out for the refugees in December, 1783. Both those who remained here and those who pushed on up the river, except a few of the latter who found shelter in the houses of the old inhabitants, were compelled to endure the severities of a bitter season in rude huts or in canvas tents thatched with spruce boughs and banked with snow. Needless to say, the women and children suffered most, and numbers of them did not survive through the winter. Among the Pennsylvanians, who were grantees of Parrrtown, were Joseph Canby, John Chubb of Philadelphia, and Ross Currie, a lieutenant of the Pennsylvania Loyalists, who received half pay and became one of the first practitioners of law in the new community; while Robert Stackhouse of Mount Bethel,

¹¹ Siebert, "The Refugee Loyalists of Connecticut" in *Trans. Roy. Soc. of Canada*, 1916, 89, 90; Raymond, *The River St. John*, 536, ff.; *Winslow Papers*, 131-133, 141.

Pa., was a grantee of Carleton, another Loyalist town which sprang up on the west side of the river. Abraham Iredell, who had lived near Philadelphia and had been deputy surveyor in Northampton and Northumberland counties, Pa., settled in Parrtown, where he enjoyed half pay as a lieutenant of the Royal Guides and Pioneers, while serving as deputy surveyor of New Brunswick. Christopher Sauer, 3d., a printer of Germantown, began the publication of the *Royal Gazette* in Parrtown and was deputy post master of the Province in 1792, but returned to the States seven years later and died at Baltimore, Md., in July, 1799.¹²

It will be remembered that the principal corps in which Pennsylvanians enlisted were the Pennsylvania Loyalists, the Queen's Rangers, the Royal Guides and Pioneers, the New Jersey Volunteers, and the Philadelphia Light Dragoons. Most of the men of these organizations, except the last ones, had come to New Brunswick with Colonel Hewlett; and it remains for us to note the locations taken up by these regiments after their disbandment and some other items concerning them. The 1st and 3d battalions of the New Jersey Volunteers were among the Loyalist corps that preferred to remain at Parrtown and await new allotments of land, rather than ascend the river to the distant tracts at first assigned to them. Meantime, many of the men of the 3d battalion boarded schooners with their families for the winding and tedious voyage of nine or ten days to St. Ann's Point. As six inches of snow fell on November 2d, or about three weeks after their arrival, not a few were caught by the cold weather without other shelter than their tents. Some, to be sure, had managed to erect rude huts for their protection, or to be received into the cabins of earlier settlers along the river; but others took their tents into the depths of the forest and there set them up, where game and firewood abounded, and a poor kind of shelter was afforded by the thick woods. Nevertheless, the sufferings of these exiles were intense, and "the loyal Provincials' Burial Ground" at Salamanca was frequented by mourners, although the dead were not infrequently buried near the snow-banked tents of the living. When mild weather came the refugees made good use of their axes and saws in felling trees for the erection of log houses, which were

¹² Raymond, "Early Days of Woodstock" in *The Dispatch of Woodstock, N. B.*, Dec. 5, 1906; *Sec. Rep., Archives of Ont.*, 1904, I, 198, 209, 237, 200; Sabine, *Loyalists of the Am. Rev.*, II, 323; *Jack. St. John: Prize Essay*, 65.

roofed with bark and lighted by small glass windows, while the fireplaces and chimneys were built of stone cemented with yellow clay. Among the houses erected at this time was that of Colonel Hewlett, who had lost his stores, tools, baggage, and other property to the value of £200 in the wreck of the *Martha*, one of the transports which had brought the Loyalist regiments to New Brunswick. Spring came none too soon in this Northern wilderness, for the people at Salamanca were already running short of provisions; but they were now able to supply themselves with pigeons, partridges, moose, fish, and edible roots, and to supplement their scanty supply of vegetable food by the discovery of large patches of beans, which had been planted by earlier inhabitants of the region, probably by the French.¹³ A few members of the 3d battalion, as already noted on a preceding page, went from New York to Shelburne, N. S., and settled there.¹⁴

There was evidently a considerable number of the men of the 3d New Jersey Volunteers still at Parrtown as late as January 17, 1785, when Captain Samuel Ryerson of this battalion memorialized Governor Thomas Carleton in behalf of his waiting comrades for lands in the unoccupied parts of Prince William Parish and of a reserve of 4,000 acres below the Pokiok, on account as he affirmed of the distance and sterility of soil of Block No. 12, which they had originally drawn. However, Ryerson's petition was not then complied with, although both the memorialists and the men of the 1st New Jersey Volunteers, who had drawn Block No. 14, eventually obtained more convenient locations in the counties of York, Sunbury, and Queens. The 2d New Jersey Volunteers got settled without the disheartening delays experienced by its sister battalions, for it fell heir to one of the desirable tracts, namely, Block No. 2, which became the Parish of Kingsclear in 1786, and lies only about twenty miles above Fredericton. It contained 38,450 acres on the south side of the River St. John, and was granted under date of July 14, 1784, to Lieutenant Colonel Isaac Allen and 143 others of his battalion. Another grant of 14,050 acres on the headwaters of the Kennebecasis was made to Colonel Allen and 94 others in the same month and year. In 1799 the first mentioned grant to Allen and his men was canceled in chancery,

¹³ Raymond, *The River St. John*, 548-550.

¹⁴ *Rep. on the Am. Mss. in the Roy. Inst. of Gr. Brit.*, IV, 375, 376; Sabina, *Loyalists of the Am. Rev.*, II, 376. See ante p. 101.

and a new and much smaller grant at Mactaquac on the north bank of the St. John was assigned him and others.¹⁵

Two days after the Loyalist troops arrived at the mouth of the River St. John a small party of the Royal Guides and Pioneers came ashore, September 29, 1783, one day in advance of the general disembarkation. Presumably these men proceeded on their way up to St. Ann's Point on the 30th, for Colonel Hewlett wrote to Sir Guy Carleton at the time to that effect. They must therefore have shared in the hardships of the following winter. The rest of the Guides and Pioneers, except the company of Black Pioneers which embarked at New York in October, 1783, for Annapolis in Nova Scotia, remained at Parrtown. They drew Block No. 3 on the north side of St. John River above the Keswick, the mouth of which lay within their district. They took possession of their block in 1784, being joined later by other Loyalists; but it appears that their grant was not issued until November 7, 1787, and that it included what were known as Crock's Point and Burgoyne's Ferry. Some of the men of this corps also settled in Queensbury Parish along with the Queen's Rangers. Concerning the Black Pioneers, who had been attached to the corps of the Guides and Pioneers, Sir Guy Carleton's instructions to Brigadier General H. E. Fox were that Governor Parr should be asked to grant them a town lot and about twenty acres in the vicinage, in case they settled near a town like Shelburne, but that they be given a hundred acres in case they settled in the country as farmers.¹⁶ The obvious intention of these instructions was that each member of the company should receive the amount of land mentioned.

On April 15, 1783, Major R. Armstrong, in the absence of Lieutenant Colonel John Graves Simcoe, commander of the Queen's Rangers, who had returned to England, authorized Colonel Edward Winslow to locate lands and obtain grants for the 575 persons then connected with the corps, of whom 305 were privates, sixty women, and seventy children. During the interval of five months that elapsed before the Rangers sailed with the other regiments for New Brunswick, their numerical strength seems to have declined

¹⁵ Raymond, "Early Days of Woodstock" in *The Dispatch of Woodstock, N. B.*, Dec. 5, 19, 26, 1906; Ganong, *Monograph of Historic Sites in the Province of N. B.*, 340; Ganong, *Monograph of the Origins of the Settlements in N. B.*, 143, 341, 343.

¹⁶ Raymond, *Winslow Papers*, 137; *Report on Am. Mss. in the Roy. Inst. of Gt. Brit.*, IV, 380, 49, 50, 420; Raymond, "Early Days of Woodstock" in *The Dispatch of Woodstock, N. B.*, Dec. 5, 1906; Ganong, *Monograph of the Origins of the Settlements in N. B.*, 112, 162; Ganong, *Monograph on Historic Sites in the Province of N. B.*, 343.

markedly. At Parrtown some of the Rangers drew lots and thus became grantees of the place; but the large majority, that is, more than two-thirds of those for whom Major Armstrong had requested grants, settled together on Block No. 5, or the Parish of Queensbury, on the north side of the River St. John. James Brown and sixty-six other Queen's Rangers received a grant of 17,674 acres in Queensbury as late as January 30, 1787.¹⁷

The corps of the Pennsylvania Loyalists, which numbered 171 men at the end of the year 1778, when it was sent with other troops to Pensacola to assist in the defense of West Florida against the Spaniards, had no more than sixty-eight men at the time of its return to New York in June, 1782. Between this date and the summer of 1784 nearly half of this number had scattered, for Thomas Knox, who took a census of the regiments on the River St. John during that summer, found but thirty-six men, fourteen women, eight children, and five servants belonging to the corps occupying their lands in Block No. 7, across the river from Woodstock. The presence of these settlers led to the establishment of the Parish of Northampton in 1786. On August 17th of the following year, William Burns and other Pennsylvania Loyalists received a grant of lands within the original block. The Parish of Southampton, which was also settled by members of the corps and their descendants, was not created until 1833. But not all of the men of the Pennsylvania Loyalists who came to New Brunswick settled in these parishes. The Reverend Doctor W. O. Raymond tells us that they were to be found at various places within the Province.¹⁸

¹⁷ Siebert, "The Refugee Loyalists of Connecticut," in *Trans. Roy. Soc. Can.*, 1916, 85, 91; Rev. W. O. Raymond's Notes on Winslow's Muster Rolls (unpublished); Raymond, "Early Days of Woodstock" in *The Dispatch of Woodstock, N. B.*, Jan. 28, 1907; Raymond, *The River St. John*, 546; Ganong, *Monograph of Historic Sites in the Province of N. B.*, 341.

¹⁸ Siebert "The Loyalists in West Florida and the Natchez District" in the *Miss. Valley Hist. Rev.*, II, March, 1916, 478, 481; Raymond, Notes on Winslow's Muster Rolls (unpublished); Raymond, *Winslow Papers*, 215, 216; Ganong, *Monograph of the Origins of the Settlements in N. B.*, 155, 178; Ganong, *Monograph of Historic Sites in the Province of N. B.*, 343; *Coll. N. B. Hist. Soc.*, No. 5 (1904), 209.

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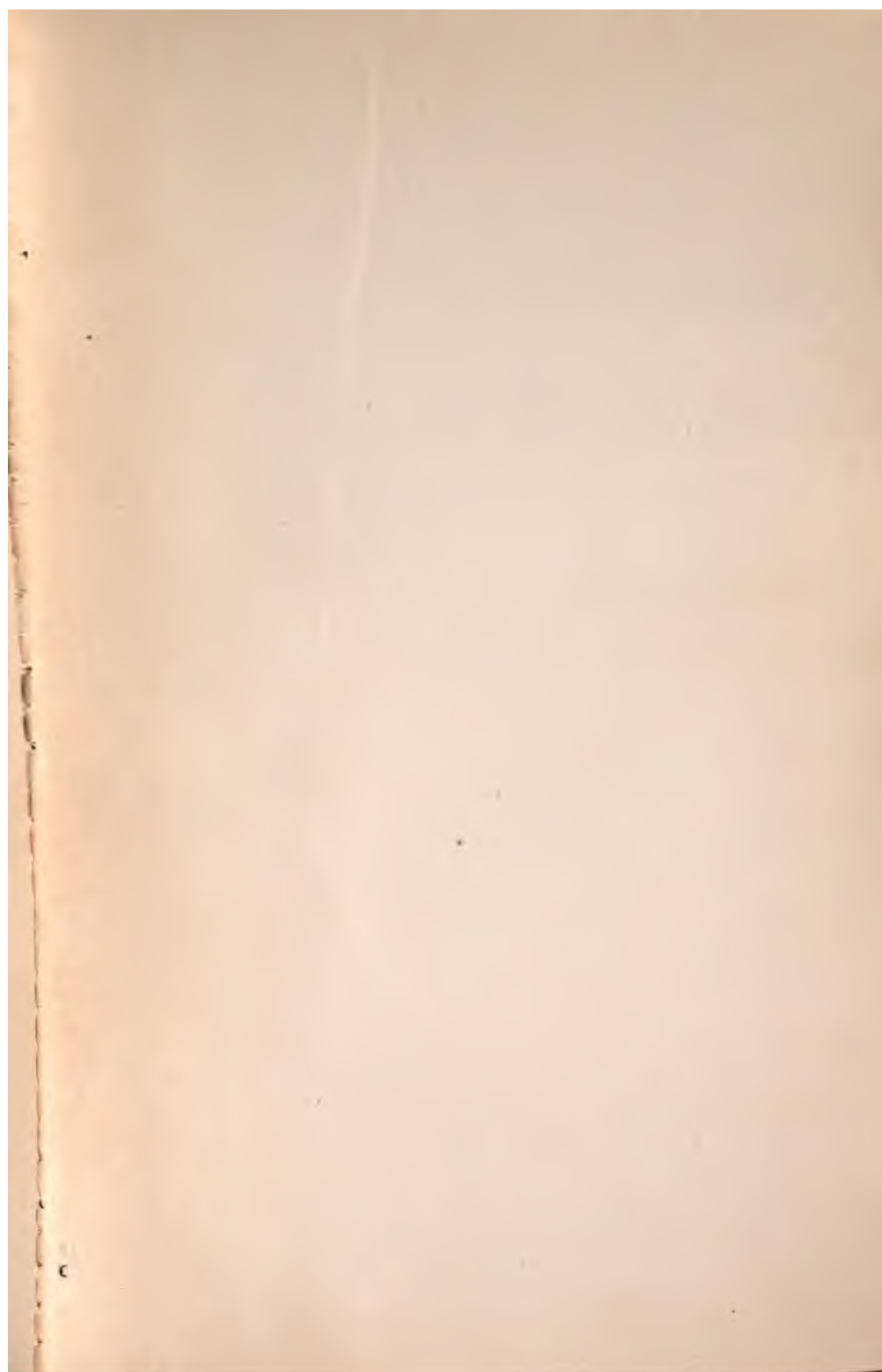
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